

City of Gainesville Department of Sustainable Development Planning Division

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### CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: May 23, 2024

PROJECT NAME AND NUMBER: LD24-000051 Outdoor Lighting Requirements in Nature

**Parks** 

**APPLICATION TYPE:** Text Change (Legislative)

**RECOMMENDATION**: Approval

CITY PROJECT CONTACT: Ari Rabinovich

#### **APPLICATION INFORMATION**

Applicant: Elizabeth Waite; City of Gainesville, Wild Spaces & Public Places

Property Owner(s): N/A Related Petition(s): N/A Legislative History: N/A

Neighborhood Workshop: N/A

#### PURPOSE AND DESCRIPTION

This is a city-initiated text amendment to Land Development Code Sec. 30-6.12 – Outdoor Lighting, to amend certain requirements surrounding outdoor lighting in City parks.

### STAFF ANALYSIS AND RECOMMENDATION



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### **ANALYSIS**

### **Background**

Nature parks within urban environments play a role in preserving biodiversity and protecting sensitive ecosystems. These areas grant access to naturalistic environments and offer educational and recreational opportunities for the community. Current city regulations mandate uniform photometric standards across all public spaces, including nature parks. These standards require specific levels of illumination, establishing minimum and maximum lighting standards to ensure safety and security across urban areas, while mitigating light trespass on adjacent properties and streets. However, the application of uniform lighting standards to nature parks can be counterproductive. Excessive artificial lighting in these areas has been documented to disrupt wildlife behaviors and alter natural habitats. Additionally, studies conducted by the PRCA have solicited public feedback and have identified several areas of park facilities and programming improvements that could potentially trigger outdoor lighting code review. By reevaluating and amending the outdoor lighting requirements in these parks, the city can protect ecological integrity while supporting the PRCA in their pursuit of addressing expressed needs of the community.

### **Proposed Amendment**

This amendment proposes to amend Land Development Code Section 30-6.12(E) — Specific Illumination Requirements. This amended text would provide for exemptions for nature parks, centers and conservation areas, and possible exemptions for active/recreational facilities and other types of City parks listed under Section 18-18 of the City's Code from minimum lighting requirements, while holding park facilities to specified maximum lighting. The new text would read:

- E. Specific illumination requirements. In addition to the general requirements applicable to all outdoor lighting uses, the following requirements for specific outdoor lighting uses or areas shall apply. 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 mounting heights above 30 feet, where appropriate) may be designed in accordance with the published standards of the Illuminating Engineering Society of North America (IESNA).
  - 2. Nature parks. Buildings shall not be externally illuminated on any vertical faces fronting a nature park.



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- 3. <u>City parks</u>. <u>Within park facilities listed under Section 18-18, the following shall apply:</u>
  - a) Nature parks, centers and conservation areas listed in Sec. 18-18(b) shall be exempted from minimum horizontal illuminance and average horizontal illuminance requirements specified within subsection 30-6.12(E).
  - b) Nature parks, centers and conservation areas shall comply with applicable requirements of this subsection specifying average uniformity ratios and maximum uniformity ratios.
  - c) The City Manager or designee may determine, upon review of development plans for facilities listed under Section 18-18(a) or 18-18(c), that proposed outdoor lighting meets the general requirements of 30-6.12(D), and may apply the exemptions of this subsection to those facilities.

### **Proposal Rationale**

The purpose of the outdoor lighting code is stated in Sec. 30-6.12(A):

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

The proposed amendment is consistent with these objectives as follows:

• This amendment relates to 30-6.12(A)(1) by improving public welfare through the increased value derived from nature parks as a result of a more tailored lighting plan. New flexibility is given to the PRCA to assess the needs of ecosystems and nocturnal wildlife and respond to those needs with a lower illuminance than required elsewhere in city code. Visitors who seek nature parks as a refuge from the urbanized cityscape are rewarded with a broader range of natural experiences, which are educational and fulfilling.



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- These changes help to bring about the intended outcome specified in section 30-6.12(A)(3). Allowing public nature parks to reduce minimum lighting consequently reduces the impacts of light pollution. Simultaneously, retaining maximum lighting standards for nature parks ensures this new change does not result in worsened light trespass onto adjacent properties. All other sections within the outdoor lighting code relating to glare, excessive lighting, and offensive lighting sources also remain applicable.
- Per section 30-6.12(A)(4), Allowing for a reduction of minimum lighting in public nature parks reduces their overall impact on citywide energy consumption. Lower output lighting can be utilized, and less energy is consumed in operation of the lighting sources that are selected.

### Artificial Lighting at Night (ALAN) & Wildlife Impacts

The proposed amendment to the outdoor lighting code for nature parks addresses critical environmental and ecological concerns associated with artificial light at night (ALAN). Research has indicated that ALAN disrupts nocturnal wildlife behaviors, including feeding, mating, and migration patterns, which can lead to significant ecological imbalances. For instance, Longcore & Rich (2004) conducted a comprehensive review of the ecological impacts of artificial light, which found that ALAN alters predator-prey dynamics and reproductive behaviors in various nocturnal species. They documented changes in activity patterns of nocturnal animals, such as bats and amphibians, which rely on darkness for hunting and mating. The study highlighted how artificial lighting can cause misalignment in the natural behaviors of these species, ultimately affecting survival and reproduction.

Similarly, a study by Cabrera & Buchanan (2022) examined the effects of ALAN on tail regeneration and prey consumption in the eastern red-backed salamander. In a controlled laboratory setting, salamanders were exposed to different intensities of nocturnal illumination, ranging from natural darkness to bright artificial light. The study found that salamanders exposed to higher levels of ALAN had significantly slower tail regeneration rates compared to those in natural darkness or low light conditions. Additionally, the study observed that artificial lighting increased the activity of prey species like fruit flies, potentially altering the salamanders' feeding behaviors. This research highlights the physiological stress and ecological disturbances caused by ALAN on nocturnal wildlife.



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Light pollution is a pervasive issue that affects both wildlife and ecosystems. Research by the UNEP (2020) has shown that artificial lighting can disorient migratory birds, leading to collisions with buildings and increased mortality rates. The study detailed how birds that navigate by moonlight and starlight are particularly vulnerable, as bright city lights interfere with their natural flight paths, causing them to become disoriented and often leading to fatal collisions. Insects, which play vital roles in pollination and as a food source for other animals, are particularly affected by light pollution. A study by the Smithsonian Conservation Biology Institute (2021) conducted in a tropical forest in Peru used different LED lamps to assess the impact of various light spectra on insect attraction. The study found that white LED lights attracted significantly more insects than amber-filtered LEDs, which reduced insect attraction by nearly 60%. This research demonstrated that the blue spectra of light are particularly disruptive to nocturnal insects, leading to increased predation risks and disrupted reproductive behaviors.

### Improved User Experience Through Reduced Light Pollution

In November 2012, The City of Gainesville Department of Parks, Recreation and Cultural Affairs (PRCA) published a master plan as a part of PRCA Vision 2020 that consisted of a demographics and cultural/environmental analysis, an inventory and analysis of PRCA resources. and a community needs assessment relating to public park facilities and programs. The community needs assessment was created using both Statistically Valid Mail and Telephone Surveys and internet surveys. Between September 6 - 8, 2011, over 20 interviews, focus group meetings and workshops were conducted, and the results were documented within the master plan. A top priority among surveyed city residents was the improvement and upgrading of existing parks and facilities.

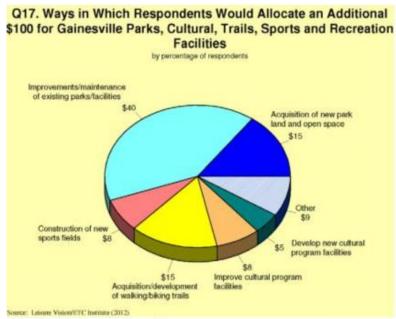


Figure 22: Responses to public opinion survey question # 17

Section 5.1 of the master plan, titled **Vision: New and Improved Parks and Programs** outlines steps the department intends to take toward making those improvements:



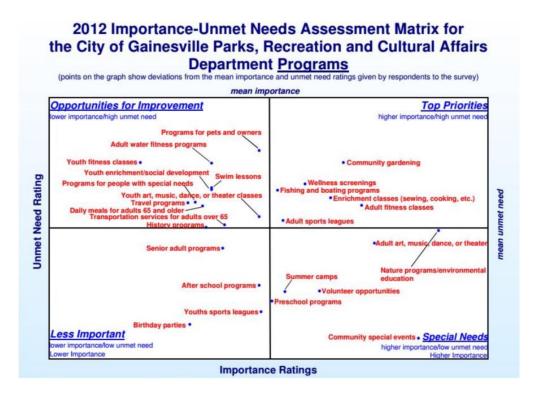
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improved amenities and aesthetics is identified as one method of reaching this goal, including through the installation of new and/or improved lighting. The plan addresses the specific needs of different park typologies, such as neighborhood parks, community parks, regional parks, and special use facilities. Among the parks assessed, new or improved lighting is recommended in some capacity for Albert "Ray" Massey Westside Park, Cedar Grove Park, Northeast Park, and the Historic Thomas Center and Gardens. A greater number of parks are identified as sites where pedestrian improvements, pathways and trails could be improved upon or created anew, which under existing outdoor lighting code could require the installation of specified minimum lighting. Several references are made to improved vehicular use and parking areas, which would require photometric plan review as well.

The same survey assessed residents' opinions relating to PRCA programs and improvements that could be made. According to the survey, one of the greatest programming needs is for further nature and environmental education programs, and one of the greatest unmet needs is programming for youth enrichment and social development. Reduced light pollution at night provides increased opportunity for night-time environmental education and nature programming, such as the ongoing "night walks" at the Sweetwater Wetlands Park. Various nature industry organizations promote the value of dark skies to environmental education. For instance, The National Park Service references the George Wright Forum (Rogers & Sovick 2001), which underscores the cultural and historic significance of night skies, connecting historic places and natural settings to the unaltered nighttime horizons that have persisted in those places for thousands of years.



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A 2023 update to the 2012 Master Plan surveyed over 800 city residents regarding their perspectives on park facilities and programming. The findings affirmed continued prioritization of improvements to existing park facilities, as well as the prioritization of nature programs and environmental education. This text amendment would grant the PRCA the opportunity to respond to the expressed needs of the community by improving facilities and user experience, and by expanding programming that connects visitors to their natural environment.

### Relation to the Comprehensive Plan

The following elements of the comprehensive plan relate to this proposed text amendment:

Conservation, Open Space & Groundwater Recharge Element



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Objective 2.4: The City shall amend its land development regulations as necessary to conserve natural systems of surface waters and wetlands; areas subject to high rates of Floridan aquifer recharge; listed species of plants and animals; significant natural communities, and other significant natural and archaeological resource areas, including strategic ecosystems and significant geological resource features; and minimize the spread of invasive vegetation. The adopted regulations shall be designed to maintain these characteristics and resources, and the functions and values which they provide, and allow development activities which are compatible with the conservation of these resource areas as identified in the Comprehensive Plan or by provisions of the Land Development Code.

### Recreation Element

- Objective 2.2: Acquire, design and manage parks to preserve existing natural features and their functions as described by the "Environmental Management of Public Parks & Open Spaces" portion of the Conservation, Open Space, and Groundwater Recharge Element.
- **Objective 3.1:** Develop programs that increase citizen awareness of urban area natural features and parks that obtain citizen input on current and future recreational needs.

### Future Land Use Element

- **Goal 3:** Achieve the highest long-term quality of life for all Gainesville residents consistent with sound social, economic, and environmental principles through land development practices **that minimize detrimental impacts** to the land, natural resources, and urban infrastructure.
- Goal 4: The future land use element shall foster the unique character of the city by directing growth and redevelopment in a manner that: uses neighborhood centers to provide goods and services to city residents; protects neighborhoods; distributes growth and economic activity throughout the city in keeping with the direction of this element; preserves quality open space; and preserves the tree canopy of the city. The future land use element shall promote statewide goals for compact development and efficient use of infrastructure.



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Objective 4.2: The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.

#### RECOMMENDATION

Staff recommends approval of LD24-000051.

#### **DRAFT MOTION FOR CONSIDERATION**

I move to approve LD24-000051.

#### **APPENDICES**

Appendix A. – Application Documents

Appendix B. – Comprehensive Plan Goals, Objectives, and Policies



### Appendix A

**Application Documents** 



2024-410A

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Email: planning@gainesvillefl.gov

### **Text Amendment Application**

Applicant/Agent		
Name: Company:		
Mailing Address:		
City, State, Zip:		
Phone: E-mail:		
<b>Note</b> : It is recommended that anyone intending to file a petition for a text amendment to Chapter 30 of the City of Gainesville Code of Ordinances (Land Development Code) or to the Comprehensive Plan, meet with staff prior to filing the petition, in order to discuss the proposed amendment and petition process. The request will be evaluated as applicable to the particular zoning district or land use category on a citywide basis.		
Text Amendment		
Check applicable request below:		
Land Development Code	Comprehensive Plan Text	Other
Section/Appendix No:	Element & Goal, Objective or Policy No:	Specify:
Proposed text language and/or	explanation of reason for reque	st (use additional sheets, if necessary)
No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.		
<b>Certification:</b> The undersigned has read the above application and is familiar with the information submitted herewith.		
Applicant Signature: Date:		



### Appendix B

Comprehensive Plan Goals, Objectives and Policies



water basins), and areas where the Floridan aquifer is otherwise vulnerable or highly vulnerable to degradation through recharge from land surfaces.

Policy 2.3.7

Until such time as prime groundwater recharge areas for the Floridan aquifer are mapped, the City shall use the map entitled "Floridan Aquifer High Recharge Area" of the Environmentally Significant Land and Resources Map Series within the Future Land Use Map Series, which is compiled from the Alachua County Floridan Aquifer High Recharge Area Map (Alachua County Environmental Protection Department, March 27, 2009) and modified for coverage of the Gainesville Urban Reserve Area. This map may be updated in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department website for reference in land use decisions and in applying land development regulations for areas of relative vulnerability and high aquifer recharge.

Policy 2.3.8

The City shall require effective groundwater recharge in accordance with the Gainesville Comprehensive Plan's Stormwater Management Element, Objective 1.8 and Policy 1.8.1.

Policy 2.3.9

Final development orders shall require compliance with State, County and City septic tank rules.

Policy 2.3.10

The City shall inform the public of the requirements of Section 373.62, F.S., regarding automatic lawn sprinkler systems.

Policy 2.3.11

The City shall conserve potable water supplies by using the methods shown in the Gainesville Comprehensive Plan's Potable Water & Wastewater Element, Objective 1.5 and Policies 1.5.1 through 1.5.9.

Objective 2.4

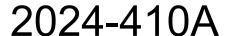
The City shall amend its land development regulations as necessary to conserve natural systems of surface waters and wetlands; areas subject to high rates of Floridan aquifer recharge; listed species of plants and animals; significant natural communities, and other significant natural and archaeological resource areas, including strategic ecosystems and significant geological resource features; and minimize the spread of invasive vegetation. The adopted regulations shall be designed to maintain these characteristics and resources, and the functions and values which they provide, and allow development activities which are compatible with the conservation of these resource areas as identified in the Comprehensive Plan or by provisions of the Land Development Code.

Policy 2.4.1

The City shall maintain an updated inventory of identified environmentally significant resources in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department website. If additional resources are identified or as annexations occur, these properties shall be subject to regulations keyed to the resource present at the



- Policy 2.3.1 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Downtown Community Redevelopment Area.
- Policy 2.3.2 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Eastside Community Redevelopment Area.
- Policy 2.3.3 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Fifth Avenue/Pleasant Street Community Redevelopment Area.
- Policy 2.3.4 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the College Park/University Heights Community Redevelopment Area.
- ACHIEVE THE HIGHEST LONG-TERM QUALITY OF LIFE FOR ALL GAINESVILLE RESIDENTS CONSISTENT WITH SOUND SOCIAL, ECONOMIC, AND ENVIRONMENTAL PRINCIPLES THROUGH LAND DEVELOPMENT PRACTICES THAT MINIMIZE DETRIMENTAL IMPACTS TO THE LAND, NATURAL RESOURCES, AND URBAN INFRASTRUCTURE.
- Objective 3.1 The City shall protect environmentally sensitive land, conserve natural resources, and maintain open spaces identified in the Future Land Use Map Series through the Development Review Process and land acquisition programs.
- Policy 3.1.1 Standards and guidelines established in Conservation, Open Space, and Groundwater Recharge Element Objective 1.1 and its Policies shall be used to protect identified environmentally sensitive resources.
- Policy 3.1.2 The City shall regulate development in Floridan aquifer high recharge areas with requirements that, at a minimum, meet the standards and guidelines of the St. Johns River or Suwannee River Water Management Districts, as applicable, and Policies 2.3.6 and 2.3.7 of the Conservation, Open Space and Groundwater Recharge Element.
- Policy 3.1.3 The City shall coordinate with the Florida Department of Environmental Protection and other agencies with regulatory authority over hazardous materials management in the review of any development proposal involving the use or generation of hazardous materials.





**Policy 3.6.2** 

Wherever possible, the natural terrain, drainage, and vegetation of the city should be preserved with superior examples contained within parks or greenbelts.

**Policy 3.6.3** 

To the extent feasible, all development shall minimize alteration of the existing natural topography.

GOAL 4

THE FUTURE LAND USE ELEMENT SHALL FOSTER THE UNIOUE CHARACTER OF THE CITY BY DIRECTING GROWTH REDEVELOPMENT **AND** IN  $\mathbf{A}$ **MANNER** THAT: NEIGHBORHOOD CENTERS TO PROVIDE GOODS AND SERVICES **CITY RESIDENTS: PROTECTS NEIGHBORHOODS: DISTRIBUTES GROWTH AND ECONOMIC ACTIVITY** THROUGHOUT THE CITY IN KEEPING WITH THE DIRECTION OF THIS ELEMENT; PRESERVES QUALITY OPEN SPACE; AND PRESERVES THE TREE CANOPY OF THE CITY. THE FUTURE LAND USE ELEMENT SHALL PROMOTE STATEWIDE GOALS FOR **COMPACT** DEVELOPMENT AND **EFFICIENT** USE OF INFRASTRUCTURE.

**Objective 4.1** 

The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban from by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

#### Single-Family (SF): up to 8 units per acre

This land use category shall allow single-family detached dwellings at densities up to 8 dwelling units per acre. The Single-Family land use category identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.



- 10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and
- 11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.
- Policy 4.1.4 The City will consider amending land use designations in the City to discourage strip commercial uses and encourage a mix of residential and non-residential uses.
- Objective 4.2 The City shall implement regulations that will protect low-intensity uses from the negative impacts of high-intensity uses and provide for the healthy coexistence and integration of various land uses.
- **Policy 4.2.1** The City shall adopt land development regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of high intensity uses by separating intense u s e s from 1 o w -intensity by transitional uses and by performance measures. Performance measures shall address the buffering of adjacent uses by landscape, building type and site design. Regulation of building type shall insure compatibility of building scale, and overall building appearance in selected areas. Regulation of site design shall address orientation. Such regulation shall also include arrangement of functions within a site, such as parking, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and tree canopy.
- Policy 4.2.2 The City shall adopt land development regulations that encourage better access between residential neighborhoods and adjacent neighborhood centers through the use of street design and the use of pedestrian, bicycle and transit modifications.
- Policy 4.2.3 The existence of non-residential uses on one or more corners of an intersection will not justify approval of the development of all corners with the same or similar use, nor does the existence of non-residential uses on a major arterial street dictate that all frontage must be similarly used.
- Policy 4.2.4 The City shall continue to restrict auto sales and relatively intense auto service to North Main Street north of 16th Avenue.
- Objective 4.3 The City shall establish protection and enhancement policies, as needed, for selected neighborhood (activity) and regional centers.
- Policy 4.3.1 The Central City Town Center shall integrate the University of Florida, the Innovation Square area, and the Central City District into one dynamic core.



2.1.1 The City shall continue to use the criteria described in Policy 1.1.3 to prioritize sites that can be integrated into the trail network identified in Objective 2.1.

**Policies** 

- 2.1.2 The City shall enforce Land Development Regulations and Comprehensive Plan policies that promote the establishment of the trail network described in Objective 2.1. Private developments falling within the network shall be required to promote the linear integrity of the network.
- 2.1.3 The City shall continue to develop public access trails or boardwalks along publicly owned segments of Hogtown Creek.
- 2.1.4 Where possible, provide barrier-free public access to all recreation and nature sites through the provision of handicapped parking and access.
- 2.1.5 Trailheads and associated facilities such as automobile and bicycle parking, comfort stations and handicapped facilities should be provided at strategic conjunctions of two or more greenways.
- 2.1.6 When acquiring lands for trails priority shall be given to parcels, which facilitate the connection of two or more trails.

Acquire, design and manage parks to preserve existing natural features and their functions as described by the "Environmental Management of Public Parks & Open Spaces" portion of the Conservation, Open Space and Groundwater Recharge Element.

- 2.2.1 The City shall continue to use the park acquisition criteria described in Policy 1.1.3 in order to place a high priority on restoring and preserving significant natural features.
- 2.2.2 The City shall continue to use policies based on the "Environmental Management of Public Parks & Open Spaces" portion of the Conservation, Open Space, and Groundwater Recharge Element in order to preserve the natural features of existing City parks.
- 2.2.3 The City shall continue to use Land Development Regulations based on the "Environmental Management of Public Parks & Open Spaces" portion of the Conservation, Open Space and Groundwater Recharge Element to maintain the integrity of parks by protecting existing parks from undesirable encroachments such as incompatible land uses, visual disamenities, and noise.

**Objective 2.2** 

**Policies** 



GOAL 3

PROVIDE FOR CITIZEN INPUT IN ORDER TO DETERMINE COMMUNITY DESIRES AND DEVISE SPECIFIC NEIGHBORHOOD-ORIENTED PLANS FOR RECREATION.

**Objective 3.1** 

Develop programs that increase citizen awareness of urban area natural features and parks and that obtain citizen input on current and future recreational needs.

**Policies** 

- 3.1.1 The City shall continue to conduct ongoing communication of recreation information to the community through publications, presentations, workshops and media exposure.
- 3.1.2 City staff shall submit an annual report to the City Commission prior to the annual update of the capital improvements program. The report shall assess progress toward implementation of this Element and make recommendations for the coming fiscal year.

### **Objective 3.2**

Develop recreation plans consistent with neighborhood desires throughout the City.

**Policies** 

- 3.2.1 The City shall develop recreation plans that meet the needs and desires of neighborhood residents. Upon approval by the City Commission, the findings of the Parks, Recreation and Cultural Affairs Master Plan shall be incorporated in the Recreation Element.
- 3.2.2 The Department of Parks, Recreation and Cultural Affairs shall continue to use two-way communication tools including park user surveys, design charrettes and public hearings to design parks and programs meeting the needs of park users.