

Legislation Text

File #: 2914, **Version:** 1

CC MEETING: October 18, 2016

DATE: October 12, 2016

TO: Leonard Martin, City Manager

FROM: Loren Shapiro, Chief Planner

Hold A Public Hearing To Consider An Ordinance Amending Chapter 92 Nuisances, Section 92.56 Of The Carrollton Code Of Ordinances And Article XXVII Of The Comprehensive Zoning Ordinance To Amend, Add, Or Delete Definitions And Regulations Related To Light And Glare. Case No. 07-16ZT2 Glare. Case Coordinator: Loren Shapiro.

BACKGROUND:

This is a City-initiated request to amend the glare regulations in the Comprehensive Zoning Ordinance. The glare amendments will also include changing Section 92.56 Nuisances Glare standards in the City Code of Ordinances.

On December 6, 2011 City Council adopted glare regulations in the Comprehensive Zoning Ordinance and in Section 92 of the Code of Ordinances. The new regulations applied immediately to new construction, with enforcement of retrofit applications of existing lighting deferred until January 1, 2017. The rationale was that, with continued improvements in lighting technology and lower costs, the marketplace would voluntarily transition to new lighting technology which would be compliant with the City's new standards.

As staff began the process of preparing for community outreach in advance of the January 1, 2017 deadline it became apparent that the marketplace was not transitioning to new technology. Over 300 commercial properties across the city are considered non-compliant and would be in violation of the new standards on January 1, 2017. In some instances the cost to retrofit existing lighting technology would be significant. On February 16, 2016 staff presented the issue for review by the Re-Development Sub-Committee in advance of the deadline with several recommendations, including:

- Retain maximum brightness limitations at the property line;
- Retain requirement for shielding on new construction;
- Retain prohibition of mercury vapor lights in new construction;
- Retain requirement that luminaires must reflect away from residential properties;
- Exempt athletic field lighting from the shielding requirements;
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- Allow patio lighting with exposed luminaires which are under 25 watts or equivalent; and
- Remove the retroactive requirement for shielding of existing lights on commercial properties.

The Sub-Committee directed staff to compose proposed regulations in response and make recommendations to

the City Council.

On September 1, 2016 the Planning and Zoning Commission recommended approval of staff amendments to the glare standards contained in the Zoning Ordinance.

The ordinance under consideration reflects the recommendations from the Commission and staff's proposed amendments to the Code of Ordinances (Chapter 92).

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council **APPROVAL** of the ordinance, as submitted.