



City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
Norman, OK 73069

Text File

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Title

CONSIDERATION OF ORDINANCE NO. O-1213-38 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE XII, SECTION 431.6, AND ARTICLE XIV, SECTION 450(51) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO MODIFY THE COMMERCIAL OUTDOOR LIGHTING STANDARDS ORDINANCE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Body

BACKGROUND: The Commercial Outdoor Lighting Standards were adopted in the Zoning Ordinance in June, 2011. In December, 2012 the City Council Oversight Committee began a discussion regarding possible amendment of the Commercial Outdoor Lighting Ordinance. Discussions continued at meetings held by the Oversight Committee on January 9 and February 13, 2013. At the February 13, 2013 meeting, three different drafts of proposed amendments were reviewed. One of those drafts that appeared to reach consensus with some changes discussed at the meeting has been finalized and is coming forward for full City Council consideration.

DISCUSSION: The existing Commercial Outdoor Lighting Standards are proposed to be amended with the following changes. First, the compliance tables have been removed in favor of language that simplifies, but preserves, their content. The Ordinance now requires corrective action when a Code Enforcement or Police Officer finds evidence of glare or light spillover onto adjacent single or two family properties. Corrective action includes shielding; re-aiming, or replacement of a fixture with a full cut-off fixture.

The second change allows, in instances of the expansion of the development, for pole height to correspond with the height of existing light poles. In this way, businesses are able to ensure a consistent, uniform look.

The third change removes lumen caps requirements from the ordinance. Because the ordinance retains the requirement for full cut-off fixtures, and such fixtures are the best means of directing light onto the subject property only, the Committee was able to compromise on removing the lumen caps at the request of the Chamber of Commerce and other local businesses and still ensure that adjacent single or two family properties were protected from light spillover. Modifications were made in several sections of the existing ordinance to effectuate the removal of all lumen caps from the ordinance, but the most significant change is removal of section 5(f).

The fourth change amends the photometric plan requirements. Previously photometric plans were required for all new outdoor commercial lighting projects. The proposed amendments, in response to concerns about cost from the business community, now only requires photometric plans when the property to be lit is adjacent to property zoned or used for single or two family residential purposes. In addition, for all other developments, photometric plans are optional, and, if a property owner chooses to submit one, it creates a legal presumption that the subject property is in compliance with the lighting ordinance. In addition, photometric plans may now be prepared by electrical contractors as well as by engineers and representatives of the lighting industry. By proposing to amend the ordinance in this way, the Oversight Committee recognized the need to balance the interests of the business community and potentially affected residential neighbors.

Lastly, the definition of glare has been amended to read as follows: "the sensation produced by luminance directed or reflected within the visual field that is sufficiently greater than the luminance to

which the eyes are adapted which causes annoyance, discomfort, or loss in visual performance and visibility to a reasonable person."

In addition the above changes discussed by the Committee, the proposed amendments include one more category of exempt lighting that is proposed by Planning Staff. The new category of exempted lighting is: luminaires that are used exclusively to provide emergency power illumination at exit discharge locations that operate only from an emergency power source in the event of a normal power failure. This new category allows businesses to direct customers to exits in the event of a power failure.

The ordinance is to be considered by City Council on First Reading on March 12, 2013 and on Second Reading on March 26, 2013. The Planning Commission will hold a public hearing on the proposed changes, as required by Chapter 22 of the Code of Ordinances of the City of Norman, on March 14, 2013. This sequence is not the City of Norman's standard practice, but the Oversight Committee has directed Staff to move these amendments forward in the timeliest manner possible. As a result, the minutes from the Planning Commission hearing will be included with this item on City Council's March 26th Agenda, but are not included with this First Reading agenda item.

STAFF RECOMMENDATION: If City Council wants to amend the Outdoor Commercial Lighting Standards to incorporate the above changes, then the consensus Oversight Committee draft is being presented for consideration for that purpose. Staff recommends adoption of Ordinance O-1213-38.

At their March 14, 2013 meeting, the Planning Commission, by a vote of 3-3, made no recommendation on Ordinance No. O-1213-38.