

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Parks and Recreation

AGENDA DATE: Introduction: December 11, 2012
Public Hearing: December 18, 2012

CONTACT PERSON/PHONE: Richard Garcia, Park Planning & Development Manager (541-4087)

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.18 (OUTDOOR LIGHTING CODE) SECTIONS 18.18.060 (DEFINITIONS) AND 18.18.150 (RECREATIONAL FACILITIES) OF THE EL PASO CITY CODE TO EXEMPT CITY PARKS FROM THE LUMENS PER ACRE, THE PENALTY BEING AS PROVIDED IN SECTION 18.18.400 (VIOLATIONS) OF THE EL PASO CITY CODE.

BACKGROUND / DISCUSSION:

Attached is the proposed ordinance to amend the lighting code to allow City parks to be lit in a similar manner as outdoor basketball courts and tennis courts. This means that walking paths, playgrounds, picnic ramadas, and other amenities found in parks can be lit for night time use and enjoyment at a level that is conducive to the respective activity as well as monitoring by police, code enforcement, neighborhood watch groups, and parks and recreation staff.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Board of Parks and Recreation – Approval Recommended on February 13, 2012 (6-0)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.
2012 DEC -4 AM 9:50

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.18 (OUTDOOR LIGHTING CODE) SECTIONS 18.18.060 (DEFINITIONS) AND 18.18.150 (RECREATIONAL FACILITIES) OF THE EL PASO CITY CODE TO EXEMPT CITY PARKS FROM THE LUMENS PER ACRE, THE PENALTY BEING AS PROVIDED IN SECTION 18.18.400 (VIOLATIONS) OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.060 (Definitions) is hereby amended to amend the following definition:

18.18.060 - Definitions.

"Class 1 lighting" means all outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, outdoor recreational facilities, city parks as defined in City Code Section 13.24.010 and other similar applications where color rendition is important to preserve the effectiveness of the activity. Recognized class 1 uses are: outdoor eating and retail food or beverage service areas; outdoor maintenance areas; display lots; assembly areas such as concert or theater amphitheaters.

"Net acreage" means the total area of the development project. For parcels including those special uses listed in Sections 18.18.150, 18.18.160, 18.18.170 and 18.18.180 that are exempted from the lumens per acre caps of Section 18.18.080 (recreational facilities, city parks and outdoor display lots), the area devoted to the special use shall also be excluded from the net acreage.

"Outdoor light fixture" means an outdoor illuminating device, outdoor lighting or reflective surface, luminous tube, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to lights used for:

- A. Parking lot lighting;
- B. Roadway lighting;
- C. Buildings and structures;
- D. Recreational areas;
- E. Landscape lighting;
- F. Billboards and other signs (advertising or other);
- G. Product display area lighting;
- H. Building or structure decoration; and
- I. Building overhangs and open canopies.
- J. City Parks

ORDINANCE NO. _____

"Outdoor recreation facility" means an area designed for active recreation, whether publicly or privately owned, including, but not limited to, baseball diamonds/fields, soccer and football fields, golf courses, ~~tennis courts~~, city parks, basketball courts, athletic fields or tracks, racquetball courts, golf driving ranges, tennis courts and swimming pools.

Section 2. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.150 (Recreational facilities) is hereby amended to read as follows:

18.18.150 – Recreational facilities.

A. Lighting for outdoor recreation facilities to include city parks as defined in City Code Sections 13.24.010 in lighting zones E1, E2, E3, and E4, shall be considered class 1 (color rendition), as defined in the Lighting Handbook, and shall be exempt from the lumens per acre limits of Section 18.18.080.

Table 18.18.150 SPORTS FACILITY AND DISPLAY LOT LIGHTING CURFEWS

Lighting Zone			
E4	E3	E2	E1
11 P.M.	10 P.M.	9 P.M. <u>City Parks –</u> 10 PM (1 Oct – 30 April) 11 PM (1 May – 30 Sept)	8 P.M.

Section 3. This ordinance shall become effective immediately.

Section 4. Except as herein provided, Title 18 (Building and Construction) Chapter 18.18 (Outdoor Lighting Code) shall remain in full force and effect.

(signatures to follow on next page)

PASSED AND APPROVED this _____ day of _____, 2012.

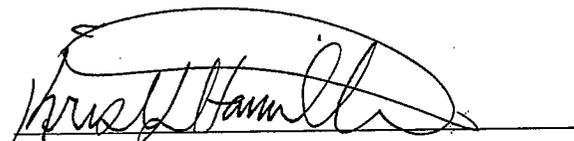
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

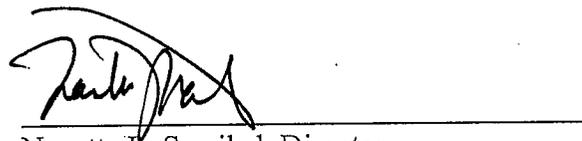
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton
Assistant City Attorney

APPROVED AS TO CONTENT:



Nanette L. Smejkal, Director
Parks and Recreation Department

ORDINANCE NO. _____