

PLANNING AND DEVELOPMENT SERVICES REPORT
Zoning Code Text Amendment

PUBLIC HEARING
PZ-19-00248

DATE: September 28, 2022
MEETING DATE: October 12, 2022
REPORT BY: Tiffany Antol, AICP

REQUEST:

This request is for a Zoning Code Text Amendment to amend Division 10-50.070: Outdoor Lighting Standards.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, make a recommendation to the City Council for approval of the Zoning Code Text Amendment.

I. PROJECT INTRODUCTION

A. Background

The purpose of Division 10-50.70: Outdoor Lighting Standards is to help assure that dark skies remain a resource to be enjoyed by the Flagstaff community and its visitors, minimize light pollution and light trespass across property lines, maintain an environment that the City's astronomical industry depends upon, reduce energy consumptions, minimize the potential disruption to nocturnal ecosystems, and to allow safe and efficient outdoor lighting. The City was recognized as the world's first International Dark Sky City on October 24, 2001, for its pioneering development and implementation of lighting codes that balance the need to preserve Flagstaff's dark sky resource with the need for safe outdoor lighting practices.

In 2019, a Joint Land Use Study (JLUS) was completed for Coconino County. The JLUS is a cooperative land use planning effort between local governments and military installations. Its goal is to ensure the lasting compatibility of military installations and their nearby communities. There are two U.S. Naval Observatory Sites in the Flagstaff region which rely on dark sky conditions to conduct their missions. The JLUS contains specific implementation strategies for the City of Flagstaff. These strategies focus on updating the Zoning Code to remove Lighting Zone 3 as well as modernize measurement of absolute lumens to account for the increasing use of Light Emitting Diode (LED) lighting. A working group was formed in late 2019 to begin working on revisions to the Outdoor Lighting Standards as suggested by the JLUS.

B. Proposed Amendment

The proposed amendment (Attachment 1) includes multiple changes to the Zoning Code. New provisions are being added, and several existing regulations are being deleted or modified. The most significant of the modifications include:

- Removing Lighting Zone 3;
- Modifying standards to accommodate LED light sources;
- Adjusting allowed lumens to accommodate LED light sources;
- Modifying the definition for Narrow Spectrum Amber LED (NSLED).

The proposed amendment includes:

Purpose (Section 10-50.70.010):

- The purpose has been updated and shortened to focus on the primary intent of the standards.

Compliance with the Zoning Code and Permit Requirements (Section 10-50.70.020):

- This section has been completely revised to provide detailed language about permitting requirements.

Applicability (10-50.70.030):

- The requirements in this section have been streamlined and reorganized with minimal substantive changes.

Establishment of Lighting Zones (10-50.70.040):

- The primary change is converting three lighting zones to two lighting zones as well as providing written descriptions of the lighting zones instead of relying solely on the Lighting Zone map.

General Requirements – All Lighting Zones (10-50.70.050)

- The requirements in this section have been streamlined and reorganized with minimal substantive changes.
- The Maximum Total Outdoor Light Output Standards has been replaced and updated to include the absolute lumens for LEDs. The previous table included a footnote with a multiplier to be used for LEDs. That footnote is removed, and the total lumens are adjusted based on that multiplier since most lights used today are LED.
- The Shielding Standards table is replaced to reflect current table design in the rest of the code and to remove Lighting Zone 3.
- The remainder of modifications fall under the first bullet.

Special Uses (10-50.70.060)

- Added new provisions for building lights located under canopies, building overhangs, and roof eaves. Includes stricter provisions for non-building mounted lights in Lighting Zone 1.

Exceptions (10-50-70.080)

- Made minor changes to the airport lighting section. Specifically, that this provision does not apply to private helipads or landing strips.
- Clarified holiday lighting.

Residential Exemptions (10-20.60.040)

- This section clarifies that when a legal nonconforming residence is rebuilt it must still comply with these standards.

Definitions “F” (10-80.20.060):

- Correction made to existing definition.

Definitions “L” (10-80.20.120):

- Revises the definition of Narrow Spectrum Amber LED (NSLED) to have a peak wavelength between 589 and 595.

Definitions “O” (10-80.20.150):

- Replaces the definition of Total Outdoor Light Output

II. ZONING CODE TEXT AMENDMENT

An application for a Zoning Text Amendment shall be submitted to the Planning Director and shall be reviewed and a recommendation prepared. The Planning Director’s recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment of Zones) of the Zoning Code; and whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

A. Finding #1:

The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan.

The Regional Plan analysis supports the proposed Zoning Code Text Amendment as part of the required findings. The Regional Plan has 97 goals and over 508 policies, which sometimes conflict or are given different weight in decision making. The applicable policies are analyzed by chapter below. Conflicting goals and policies are found in Chapter VII – Energy, which supports energy efficiency. NSLEDs are less energy efficient than full spectrum LEDs.

Chapter IV - Environmental Planning & Conservation

- Goal E&C.5. Preserve dark skies as an unspoiled natural resource, basis for an important economic sector, and core element of community character.
- Policy E&C.5.1 Evaluate the impacts of the retention of dark skies regarding lighting infrastructure and regulatory changes, land use decisions or changes, and proposed transportation developments within the region.

Chapter VII - Energy

- Goal E.1. Increase energy efficiency.
- Policy E.1.4. Promote cost-effective, energy-efficient technologies and design in all new and retrofit buildings for residential, commercial, and industrial projects.

Chapter XIV - Economic Development

- Policy ED.7.1. Support planning, design, and development that positively, creatively, and flexibly contribute to the community image.

Chapter VIII – Community Character

- Goal CC.1. Reflect and respect the regions’ natural setting and dramatic views in the built environment.
- Policy CC.1.1. Preserve the natural character of the region through planning and design to maintain views of significant landmarks, sloping landforms, rock outcroppings, water courses, floodplains, and meadows and conserve stands of ponderosa pine.

Chapter XIV - Economic Development

- Policy ED.7.1. Support planning, design, and development that positively, creatively, and flexibly contribute to the community image.

There is a very specific portion of the Regional Plan that supports the preservation of dark skies in Flagstaff. Dark skies have been a priority for Flagstaff for over three decades with the adoption of the first Outdoor Lighting Standards in the 1990s. This code amendment reflects recent planning efforts to preserve astronomical facilities in the Flagstaff region. While the preferred light source (NSLEDs) is less energy efficient than the full spectrum LEDs, the environment, social, and economic benefits are so great that in this instance they are supported over the very important goal of energy efficiency.

B. Finding #2

The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed amendment is not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City.

C. Finding #3

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The proposed amendment revises the entire Outdoor Lighting Standards Division of the Zoning Code. In addition, definitions, associated maps, signage, and legal nonconforming standards have been updated to coordinate with the rewrite of this division.

III. CITIZEN PARTICIPATION

Staff completed the following efforts to reach out for public input on the proposed amendment prior to scheduling work sessions or public hearings:

- Direct contact with known electrical and lighting contractors was made via email to solicit feedback on the proposed amendment.
- Notice about the proposed amendment was added to all water bills during the month of July.
- Staff had an article about the proposed amendment published in the Flagstaff Business News, July 2022 edition.
- A direct mailing to all commercial property owners in Lighting Zone 3 (approximately 600 owners) with notice of the proposed amendment and invitation to an Open House to discuss the amendment.
- Staff held an Open House meeting on August 4, 2022, at 5:30 p.m. at the Flagstaff Public Library (Downtown) to discuss the amendment. One member of the public attended the open house.

As of the preparation of this report, staff has not received any comments from the public.

IV. PLANNING AND ZONING COMMISSION WORK SESSION

At the September 28, 2022, Planning and Zoning Commission Work Session, staff reviewed the text amendment applications with the Commission. The Commission had general and informational questions.

V. STAFF RECOMMENDATION:

Staff believes that the findings for this amendment can be met for this request. The proposed amendment conforms to and is in general compliance with the Flagstaff Regional Plan 2020. The proposed amendments should not be detrimental to the public interest, health, safety, convenience, or welfare. Lastly, the proposed amendment is internally consistent with other provisions of the Zoning Code.

Attachments:

1. Application
2. Case No. PZ-19-00248
3. Public Participation Plan