

Ordinance No. 639-2024

By Council Member Maurer

AN EMERGENCY ORDINANCE

To amend the title of Chapter 352 and Section 352.01 of Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3077-A-89, passed June 17, 1991; and to supplement the Codified Ordinances by enacting new Section 352.13, relating to lighting requirements for outdoor parking lots.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the title of Chapter 352 and Section 352.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3077-A-89, passed June 17, 1991, are amended as follows:

Chapter 352 – Landscaping ~~and~~, Screening, and Outdoor Parking Lot Lighting

Section 352.01 Purpose

The purpose of the requirements in this chapter is to provide for appropriate landscaping, ~~and screening, and outdoor parking lot lighting~~ that will:

- (a) Protect residential and all other environments from adverse effects, such as noise, odors and dust, of more intensive adjacent uses;
- (b) Protect users of parking areas from excessive wind, glare, and temperature extremes;
- (c) Mitigate the adverse effects on public streets and adjacent properties of noise, blowing dust and debris, water runoff, and glare from motor vehicle headlights and parking area lighting;
- (d) Provide adequate lighting in outdoor parking lots for the safety of residents, pedestrians, and motorists;
- ~~(e)~~ (e) Discourage unsafe access to and circulation within off-street parking areas;
- ~~(e)~~ (f) Contribute to improved community appearance and property values and preserve and enhance the mature “established” character of City neighborhoods;
- ~~(f)~~ (g) Preserve privacy in residential areas next to non-residential uses and discourage trespass thereupon;
- ~~(g)~~ (h) Provide trees that improve the urban environment by cooling the air and land, reducing carbon dioxide in the air, and producing oxygen; and
- ~~(h)~~ (i) Compensate for the inability in an older, densely developed city like Cleveland to buffer incompatible uses by use of wide yards and open spaces.

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Section 2. That existing title of Chapter 353 and Section 352.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3077-A-89, passed June 17, 1991, is repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 352.13 to read as follows:

Section 352.13 Lighting Requirements for Outdoor Parking Lots

(a) All outdoor parking lots containing ten or more spaces, which are used during non-daylight hours, shall be illuminated during those hours with one (1) to 2.5 footcandles, as recommended by the Illuminating Engineering Society (IES).

(b) The installation of lighting, replacement of lighting, and changes to existing light fixtures must be made in compliance with this Section.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

/jho
Council Member Maurer
6-3-2024

