

RULE NO.: R161-15.09

NOTICE OF PROPOSED RULE

POSTING DATE: July 7, 2015

The Director of the Planning and Development Review Department proposes to adopt the following rule after August 8, 2015.

Comments on the proposed rule are requested from the public. Comments should be submitted to Robyn Diaz, 505 Barton Springs Road, Suite 575; 512-974-1638. To be considered, comments must be submitted before August 8, 2015, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before August 8, 2015 (the 32nd day after the date of this notice) or not after October 5, 2015 (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before October 5, 2015, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Planning and Development Review Department, located at 505 Barton Springs Road, Suite 575, Austin, Texas; and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

BRIEF EXPLANATION OF PROPOSED RULE

Rule R161-15.09: The proposed rule will amend the Building Criteria Manual by amending Section 4 - Electrical Code to add a new section, 4.12.0 – Alternative Equivalent Compliance for Exterior Lighting. The proposed rule will identify acceptable

options for Alternative Equivalent Compliance for Exterior Lighting. These options meet the intent of Sections 1.1 and 2.1 of Chapter 25-2, Subchapter E of the Land Development Code. These options will protect the outdoor environment and adjacent residents by reducing light pollution (also called sky glow) and light trespass (often described a light shining across property lines); and allow for design creativity in exterior lighting and accommodate applications of new lighting technology, such as LEDs.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate Alternative Equivalent Compliance is established in Chapter 25-2, Subchapter E, Section 1.5.2 of the City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule R161-15.09, the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEW AND APPROVED

_____ Date: _____
Greg Guernsey, Director
Planning and Development Review Department

_____ Date: _____
Anne Morgan
Interim City Attorney