

**MINUTES OF THE HOUSING COMMITTEE**  
**November 12, 2018**  
**East Conference Room**

**Present:** Councilmembers Anderson, Rader, O'Malley

**Also Present:** Councilmember Bullock, Assistant Law Director Swallow, City Planner Michelle Nochta, Planning Director Sylvester

**Call to Order:** 8:05 p.m.

**SUBSTITUTE ORDINANCE NO. 2-18 – AN ORDINANCE enacting Section 1306.311, Outdoor Lighting, of the Codified Ordinances of the City of Lakewood in order to create regulations prohibiting outdoor light nuisances and for the installation of new lighting fixtures.**

Ms. Swallow explained the most recent changes made to the substitute version of the Ordinance. In Section (c) 5, former City Architect Mike Molinski recommended to change the word “quality” to performance” in two areas.

The administration reported feedback from Planning Commission and ABR on the Ordinance. Neither Planning Commission nor ABR had concerns and believed the ordinance to be sound and enforceable. No changes were suggested. Ms. Swallow and Ms. Nochta combed through the Code to ensure that this ordinance does not interfere with other portions of the Code regarding light.

Councilmember Bullock expressed his desire to have the ordinance address residential as well as commercial light trespass issues.

The administration responded, stating that resident-to-resident issues of light trespass are not a common problem and that the most common complaint is light trespass from the commercial corridor into the residential. They recommended that the nuisance process be put to use when resident-to-resident issues arise. They noted that the nuisance code was previously used to address complaints at the post office and Wingstar.

It was clarified that condos are included as commercial properties and would be regulated under the current version of the Ordinance.

Committee members expressed support for the ordinance.

Councilmember Bullock insisted that it would be most appropriate to have the ordinance address resident-to-resident issues, stating that the nuisance process is not always effective.

Ms. Swallow suggested a solution whereby residents could be found guilty of a violation but that does not require them to go through the site planning process.

Mr. Bullock agreed that a lighter regulatory approach for residents is appropriate and agreed to work with Ms. Swallow on an amendment.

Director Bryce expressed concern about the building department having adequate capacity to manage this. He stated that this would take staff away from permit work and require evening hours to do follow up.

Ms. Nochtka advocated for education of residents rather than legislation. She noted that Planning Commission and ABR were not supportive of applying this to residents.

Mr. Bullock will work further with the Law Department on this ordinance to find an agreeable way to address light trespass between residents.

It was clarified that the ordinance is not required to return to Planning Commission or ABR.

The Committee deferred ordinance 2-18.

Housing Committee adjourned at approximately 8:30 p.m.