

ORDINANCE NO. 579

AN ORDINANCE AMENDING SECTION 17.56.040 OF CHAPTER 17.56 OF TITLE 17 OF THE RANCHO PALOS VERDES MUNICIPAL CODE TO UPDATE THE CITY'S EXISTING REGULATIONS FOR EXTERIOR LIGHTING FOR NONRESIDENTIAL PROPERTIES, SPECIFYING THAT LIGHT FIXTURES ARE TO BE FULLY SHIELDED SO THAT THE LIGHT SOURCE IS NOT VISIBLE FROM ANY ADJACENT PROPERTY, ESTABLISHING ACCEPTABLE COLOR TEMPERATURES FOR EXTERIOR LIGHTS, IMPOSING RESTRICTIONS ON EXTERIOR EMISSIONS BASED ON LUMENS INSTEAD OF WATTAGE, AND ADDRESSING GLARE OF EXTERIOR LIGHTS TO VEHICLES ONTO PUBLIC/PRIVATE STREETS.

WHEREAS, Section 17.56.040 (outdoor lighting for nonresidential uses) of the Rancho Palos Verdes Municipal Code (the "Municipal Code") set forth various procedures and regulations regarding outdoor lighting; and,

WHEREAS, between January 24, 2012 and February 25, 2015, the Planning Commission reviewed research on lighting standards used by other similar cities for the purpose of determining whether amendments to the City's outdoor lighting Development Code should be considered. The Planning Commission reviewed a compilation of outdoor lighting requirements for other Southern Californian cities that are similar to Rancho Palos Verdes' semi-rural and/or coastal character, and other cities on the Palos Verdes Peninsula. Additionally, the Planning Commission reviewed information from the Dark-Sky Association and Portland, Maine that have recently established guidelines for regulating exterior lighting; and

WHEREAS, on February 25, 2014, the Planning Commission directed Staff to bring a code amendment initiation request to the City Council to improve the City's current exterior outdoor lighting requirements for non-residential private projects throughout the City; and,

WHEREAS, on September 2, 2014, the City Council initiated a Code Amendment to move forward with drafting an Ordinance to improve the City's existing Development Code Standards for exterior lighting on nonresidential properties including, but not limited to, specifying that light fixtures are to be fully shielded so the light source is not visible from any adjacent property, establishing acceptable color temperatures for exterior lights, imposing restrictions on exterior light emissions based on lumens instead of wattage, and addressing the glare of vehicles on public/private streets; and,

WHEREAS, the City Council hereby finds, in the exercise of its independent judgment and analysis that the proposed Municipal Code amendments are categorically exempt from CEQA pursuant to the CEQA Guidelines Section 15301 (Existing Facilities) which applies to the "*operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination*". The exception applies to the proposed code amendment as the amendment would only permit minor alteration of existing, developed nonresidential land for exterior lighting improvements which would result in a negligible expansion of the existing nonresidential use. Additionally, the proposed Municipal Code amendments are exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)) as the proposal does not have the potential to cause a significant effect on the environment, as the amendment is proposed to alter the existing outdoor lighting code language to further reduce lighting impacts related to glare.; and,

WHEREAS, on February 19, 2015, a Public Notice was published in the *Peninsula News* and mailed to all interested parties who had previously commented on outdoor lighting impacts throughout the City, providing notice of a public hearing before the Planning Commission on March 10, 2015; and,

WHEREAS, the public hearing on the Outdoor Lighting Ordinance was continued a number of times to April 14, 2015, April 28, 2015, June 23, 2015, July 28, 2015, and finally to a date uncertain in order to allow the Outdoor Lighting Subcommittee additional time to review the draft language for the ordinance and consider additional modifications before presenting to the Planning Commission; and,

WHEREAS, on December 10, 2015, a new Public Notice was published in the *Peninsula News*. Additionally, a courtesy copy of the public notice was emailed to all interested parties who had previously commented on outdoor lighting impacts throughout the City, providing notice of a public hearing before the Planning Commission on January 12, 2016; and,

WHEREAS, after notice issued pursuant to the provisions of the Municipal Code, the Planning Commission conducted a public hearing on January 12, 2016, at which time all interested parties were given an opportunity to be heard and present evidence regarding said amendments to Sections 17.56.030 (outdoor lighting in residential uses) and 17.56.040 (outdoor lighting in nonresidential uses) of the Municipal Code as set forth in the Planning Commission Staff Report of that date. At the meeting, the Planning Commission directed Staff to only move forward with the nonresidential text amendments, noting that additional consideration and research for residential lighting needed to be further vetted to be considered at a future publically noticed meeting. As a result, the Planning Commission continued the public hearing to January 26, 2016; and,

WHEREAS, on January 26, 2016, after considering public testimony, the Planning Commission adopted P.C. Resolution No. 2016-03, recommending that the City Council amend Municipal Code Section 17.56.040, as it pertains to exterior lighting requirements for nonresidential properties, including City Parks and Facilities; and,

WHEREAS, on March 1, 2016, after notice issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the City Council of the City of Rancho Palos Verdes conducted and concluded a duly noticed public hearing concerning the Municipal Code amendments contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments; and,

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES ORDAIN AS FOLLOWS:

Section 1. The facts set forth in the Recitals are true and correct.

Section 2. Section 17.56.040 (Outdoor lighting for nonresidential uses) of Chapter 17.56 (Environmental Protection) of Title 17 (Zoning) of the Rancho Palos Verdes Municipal Code is hereby amended to read as follows (proposed deletions ~~struck out~~; proposed additions underlined):

(17.56.040 - Outdoor lighting for nonresidential uses.)

A. In order to protect the semi-rural character of the City and reduce excessive glare, light trespass, or over-lighting, ~~No~~ outdoor lighting shall hereafter be installed in any nonresidential district, including City Parks and City facilities, except in accordance with the provisions of this section.

A.B. Prior to the issuance of the first certificate of occupancy installation of any new lighting, a lighting plan shall be reviewed and approved by the Director. Said lighting plan shall include a photometric plan identifying the areas designed and intended for lighting, and indicating the maximum illumination levels of less than a 0.01 foot candles at all property lines. Additionally, the lighting plan shall provide lighting descriptions, including manufacturers catalog specifications, for all proposed light fixtures, lamps and poles. The a lighting plan shall be prepared by a lighting contractor, and which shall include the location, height, number of lights on the entire property, wattage, lumens of each light bulb, estimates of maximum illumination on site and spill/glare at property lines, and shall be in conformance with the following standards and criteria; ~~shall be submitted for approval by the director.~~

1. ~~No one fixture shall exceed 1,200 watts and~~ Fixture Orientation. No outdoor lighting shall be permitted where the light source shall not be is directed toward or results in direct illumination of a parcel of property or properties, other than that upon which

such light source is physically located. ~~Wattage for nonincandescent lighting shall be calculated using the multiplier values described in Section 17.56.030(A) of this chapter.~~ Accent lighting of buildings, trees or other landscape features may be permitted, provided the lighting only accentuates those individual features, and not an entire structure or landscaped area. Said accent lighting shall be directed onto the building façade or tree, with no spillover beyond the façade of the building or tree, and all lighting fixtures shall be fully shielded and mounted as close as possible to the architectural feature of the building or tree being illuminated.

2. Illumination Limits. No one fixture or luminaire shall exceed 1,600 lumens. Accent Lighting described in B(1) above shall not exceed 800 lumens.
3. Correlated Color Temperature (CCT). All outdoor lighting shall be of a low color temperature, commonly referred to as neutral or warm color temperature. The maximum CCT for each luminaire shall not exceed 4,000 Kelvin (K). Outdoor lights that exceed 4,000 K., commonly referred to as cool color temperatures, are strictly prohibited.

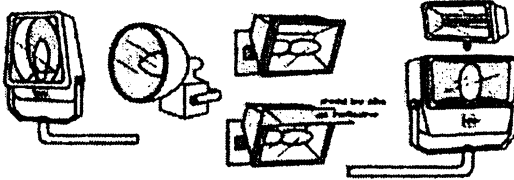
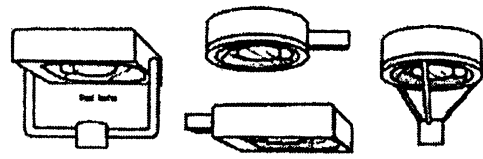
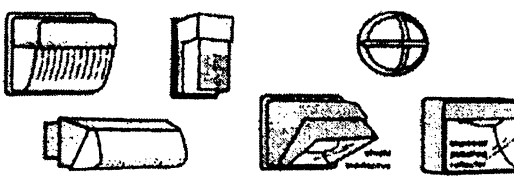
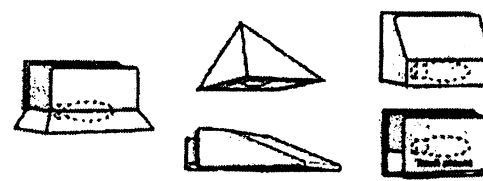
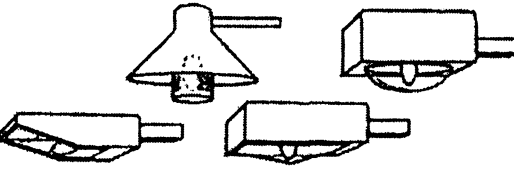
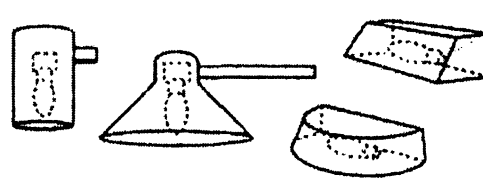
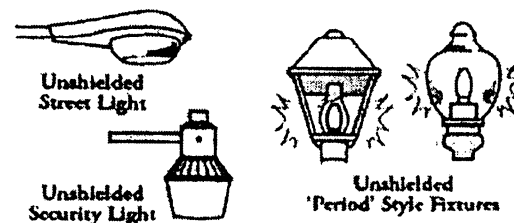
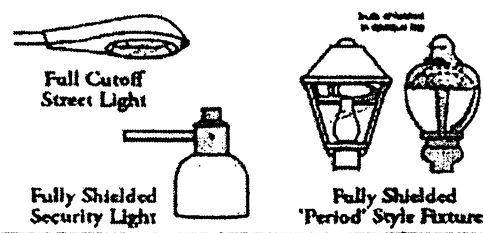
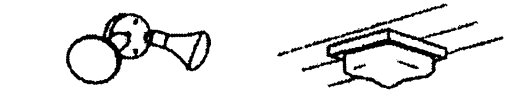
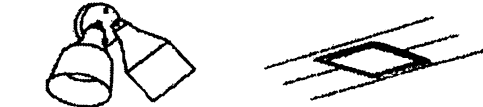
~~2.4.~~ Fixture Height. No outdoor lighting shall be permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than ten feet above existing grade, adjacent to the building or pole.

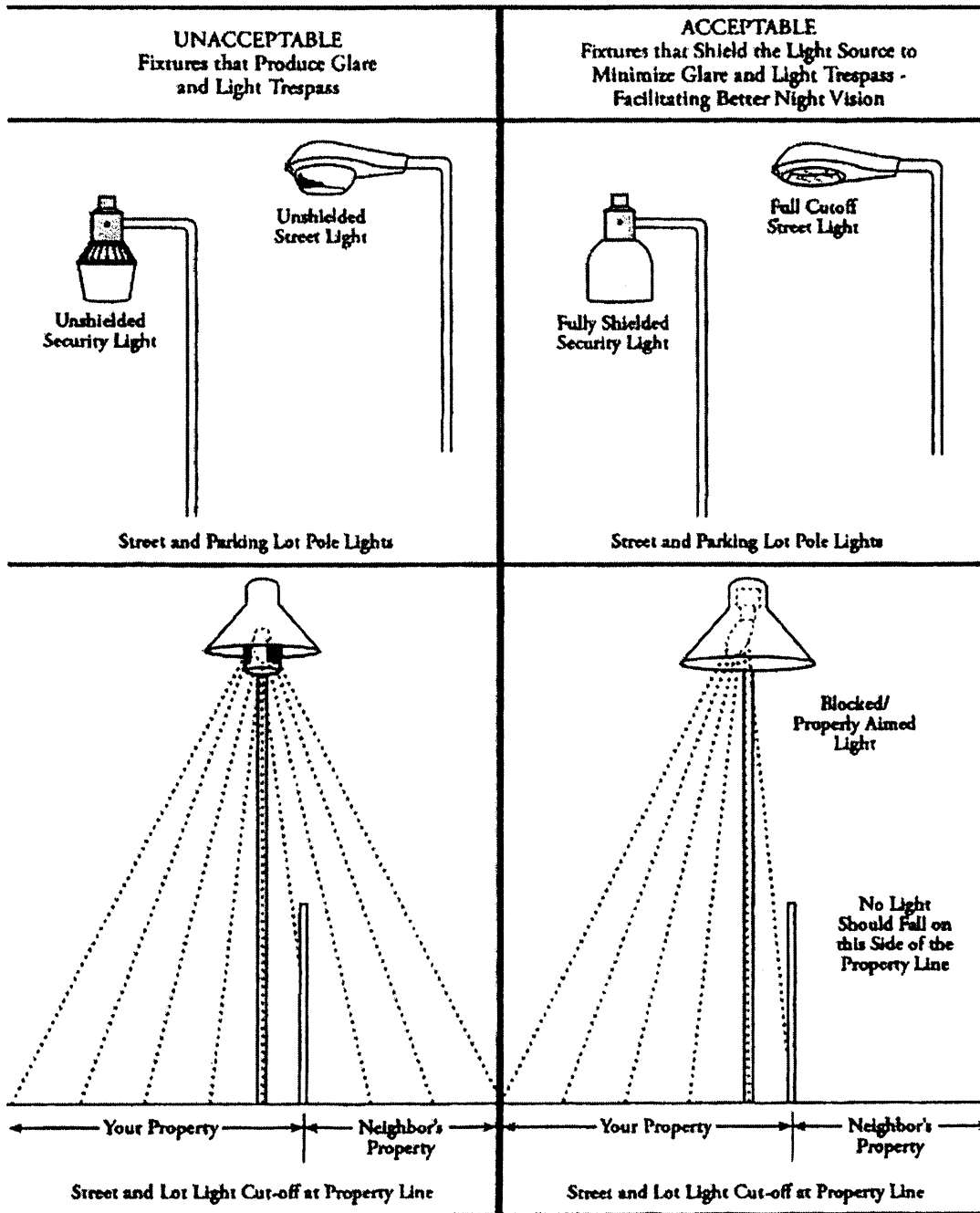
~~3.5.~~ Light Trespass. The maximum illumination level at any property line shall be less than a 0.01 foot candle, as measured at grade. Light trespass that results in glare to neighboring properties or public/private streets is prohibited unless the Director determines that there is no other alternative to provide security lighting required by the California Building Code, or approves the use of alarm or motion-activated security lighting. For the purposes of this section, "glare" means stray, unshielded light striking the eye that results in discomfort glare, such as bright light causing squinting of the eyes; and/or disabling glare, such as bright light that reduces the ability to drive or see into shadows in certain instances where the glare from a light fixture will create an impact to neighboring properties or public/private streets, the applicant shall be required to comply with these standards to the fullest extent possible. All estimates or testing shall be done with the entire facility illuminated.

~~4. Testing equipment shall be a calibrated gossen panalux electronic 2 or an equal approved by the director.~~

6. Fixture Types. All light fixtures, including pole-mounted and wall-mounted light fixtures, shall be fully shielded so that the light bulb is not visible from the adjacent neighbors or streets. Said light fixtures shall be "cut-off" where lenses, refractors or lamp sources do not extend below the surface of the fixture housing, and no light shall be directed at or above the lowest horizontal plane of the light fixture, as depicted in the examples established by this section, or as approved by the Director. Louvered light fixtures shall not qualify as fully shielded fixtures.

Outdoor Lighting Examples

UNACCEPTABLE Fixtures that Produce Glare and Light Trespass	ACCEPTABLE Fixtures that Shield the Light Source to Minimize Glare and Light Trespass - Facilitating Better Night Vision
 <p style="text-align: center;">Unshielded or Poorly-shielded Floodlights</p>	 <p style="text-align: center;">Full Cutoff Fixtures</p>
 <p style="text-align: center;">Unshielded Wallpacks & Poorly-shielded Wall Mount Fixtures</p>	 <p style="text-align: center;">Fully-shielded Wallpack & Wall Mount Fixtures</p>
 <p style="text-align: center;">Drop-lens & Sag-lens Fixtures with Exposed Bulb/Refractor Lens</p>	 <p style="text-align: center;">Fully-shielded Fixtures</p>
 <p style="text-align: center;">Unshielded Street Light</p> <p style="text-align: center;">Unshielded Security Light</p> <p style="text-align: center;">Unshielded 'Period' Style Fixtures</p>	 <p style="text-align: center;">Full Cutoff Street Light</p> <p style="text-align: center;">Fully Shielded Security Light</p> <p style="text-align: center;">Fully Shielded 'Period' Style Fixtures</p>
 <p style="text-align: center;">Unshielded PAR Floodlights</p> <p style="text-align: center;">Drop-lens Canopy Fixtures</p>	 <p style="text-align: center;">Shielded/Properly Aimed PAR Floodlights</p> <p style="text-align: center;">Flush Mounted Canopy Fixtures</p>



7. Extinguishment of Lights. With the exception of approved security lighting, or operational lighting conditions approved through a Conditional Use Permit, all exterior lighting and parking lot lighting shall be extinguished by 10:00 pm.

C. Exemptions. The following outdoor lights shall be exempted from the requirements of this Section:

1. Temporary construction or emergency lighting.
2. Holiday lighting.

- 3. Exterior lighting for a temporary activity that is permitted through a Special Use Permit, pursuant to Chapter 17.62.
- 4. Low voltage, landscape lighting that does not require a permit from Building and Safety.

B-D. The Planning Commission may approve deviations which exceed the standards set forth in Section 17.56.040(A)(1) through (A)(4) of this chapter when the Planning Commission finds that such deviations are required for public safety, pursuant to the California Building Code. Said lighting shall be depicted on a "security lighting plan" that is reviewed and approved by the Planning Commission through a Site Plan Review application, prior to installation of said security lighting.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or its application to any person or circumstance, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 6. Certification and Posting. The City Clerk shall cause this Ordinance to be posted in three (3) public places in the City within fifteen (15) days after its passage, in accordance with the provisions of Section 36933 of the Government Code. The City Clerk shall further certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of the Council of this City.

PASSED, APPROVED and ADOPTED this 15th day of March 2016.


 Mayor

ATTEST:


 City Clerk

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES)ss
 CITY OF RANCHO PALOS VERDES)

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 579 passed first reading on March 1, 2016, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on March 15, 2016, and that the same was passed and adopted by the following roll call vote:

AYES: Brooks, Duhovic, Misetich and Campbell
 NOES: None
 ABSENT: Dyda
 ABSTAIN: None


 City Clerk



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF RANCHO PALOS VERDES)

AFFIDAVIT OF POSTING

The undersigned, being first duly sworn, deposes and says:

That at all times herein mentioned, she was and now is the appointed City Clerk of the City of Rancho Palos Verdes;

That on March 22, 2016, she caused to be posted the following document entitled: **ORDINANCE NO. 579, AN ORDINANCE AMENDING SECTION 17.56.040 OF CHAPTER 17.56 OF TITLE 17 OF THE RANCHO PALOS VERDES MUNICIPAL CODE TO UPDATE THE CITY'S EXISTING REGULATIONS FOR EXTERIOR LIGHTING FOR NONRESIDENTIAL PROPERTIES, SPECIFYING THAT LIGHT FIXTURES ARE TO BE FULLY SHIELDED SO THAT THE LIGHT SOURCE IS NOT VISIBLE FROM ANY ADJACENT PROPERTY, ESTABLISHING ACCEPTABLE COLOR TEMPERATURES FOR EXTERIOR LIGHTS, IMPOSING RESTRICTIONS ON EXTERIOR EMISSIONS BASED ON LUMENS INSTEAD OF WATTAGE, AND ADDRESSING GLARE OF EXTERIOR LIGHTS TO VEHICLES ONTO PUBLIC/PRIVATE STREETS**, a copy of which is attached hereto, in the following locations:

City Hall
30940 Hawthorne Blvd.
Rancho Palos Verdes

Ladera Linda Community Center
32201 Forrestal Drive
Rancho Palos Verdes

Hesse Park
29301 Hawthorne Blvd.
Rancho Palos Verdes

I certify under penalty of perjury that the foregoing is a true and correct affidavit of posting.


Deputy
City Clerk