

ORDINANCE NUMBER O- 20186 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 31 2012

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 2, DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 142.0740; BY AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0104, 1410.0105, AND 1410.0106; BY AMENDING CHAPTER 14, ARTICLE 10, BY ADDING A NEW DIVISION 4 TITLED LOCAL ADDITIONS AND MODIFICATIONS TO THE 2010 CALIFORNIA GREEN BUILDING REGULATIONS – RESIDENTIAL, AND BY ADDING NEW SECTION 1410.0401; BY AMENDING CHAPTER 14, ARTICLE 10, BY ADDING A NEW DIVISION 5 TITLED LOCAL ADDITIONS AND MODIFICATIONS TO THE 2010 CALIFORNIA GREEN BUILDING REGULATIONS – NON RESIDENTIAL, AND BY ADDING NEW SECTION 1410.0501, ALL RELATING TO OUTDOOR LIGHTING.

WHEREAS, the State adopted the 2010 California Green Building Standards Code, published and amended by the California Building Standards Commission, and amended by the State Department of Housing and Community Development; and

WHEREAS, the City adopted the 2010 California Green Building Standards Code by reference as the Green Building Regulations in Land Development Code Chapter 14, Article 10, except as otherwise provided; and

WHEREAS, Section 101.7 of the 2010 California Green Building Standards Code states that it is the intent of the California Building Standards Commission to set minimum Green Building Standards that may, at the discretion of any local government entity, be applied; and it is further the intent that local government entities retain their discretion to exceed the minimum standards established by the 2010 California Green Building Standards Code; and

WHEREAS, the City of San Diego is the second largest City in California, and in order to preserve the quality of life for its residents, it is the intent of the City to adopt outdoor lighting amendments including additions and modifications to the requirements of the 2010 California Green Building Standards Code to allow for greater local limitations on outdoor lighting than the minimum required by the State for the amount of up-light and light trespass based on climatic and topographic findings; and

WHEREAS, climate change is a growing concern for the City and the City regularly experiences periods of dense fog, which can increase the effects of light pollution; and

WHEREAS, in accordance with adopted General Plan policies, the outdoor lighting amendments can help to reduce climate change by facilitating use of energy efficient outdoor light fixtures that last longer and thereby help reduce use of materials and reduce greenhouse gas emissions associated with the process of manufacturing, distribution, and consumption; and

WHEREAS, in order to minimize the potential for light pollution associated with the brighter energy efficient lights, the City is proposing to require fully shielded outdoor lighting fixtures with full cutoff lenses for most outdoor lighting because the State's minimum requirements for cutoff fixtures, which apply only to non-residential buildings, would allow greater up-light and would not meet the City's goals to minimize light pollution; and

WHEREAS, the City's topography covers 342.5 square miles and stretches nearly 40 miles from north to south with elevations that typically range from sea level to 600 feet, and include Mount Soledad and Cowles Mountain (nearly 1600 feet high); and

WHEREAS, the City is in proximity to two major astronomical observatories (Palomar and Mount Laguna) that are impacted by the amount of light emitted from the City and it is the

desire of the City to avoid negatively impacting the local observatories through measures that are consistent with the City's General Plan; and

WHEREAS, there are over 900 linear miles of wild land urban interface within the City where development is typically situated along mesas and valleys adjacent to canyons with sensitive biological resources; and

WHEREAS, the City will continue to require that light be directed away from sensitive biological resource areas; and

WHEREAS, the City is proposing to require fully shielded, full cutoff lenses and restrict direct beam illumination to the premises for all types of development because the State's limit on light trespass only applies to certain non-residential buildings, and would otherwise allow excess light to trespass onto surrounding properties in a majority of the City counter to the City's General Plan goals to minimize light pollution and protect the public health, safety, and welfare; and

WHEREAS, the Council of the City of San Diego expressly finds and declares in accordance with the 2010 California Green Building Standards Code section 101.7.1 that the amendments are reasonably necessary because of the aforementioned local climatic and topographical conditions; and

WHEREAS, to facilitate implementation of outdoor lighting regulations, the effective date of the amendments to the 2010 California Green Building Standards Code filed pursuant to Building Standards Code section 101.8.1 shall be the effective date of this ordinance instead of the date on which this ordinance is filed with the California Building Standards Commission; and

WHEREAS, the amendments comply with Health and Safety Code section 18941.5(b) for Building Standards Law, Health and Safety Code section 17958.5 for State Housing Law, or Health and Safety Code section 13869.7 for Fire Protection Districts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 14, Article 2, Division 7 of the San Diego Municipal Code is amended by amending section 142.0740 to read as follows:

§142.0740 Outdoor Lighting Regulations

(a) Purpose and Intent

- (1) Outdoor lighting fixtures shall be installed in a manner that minimizes negative impacts from light pollution including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination.
- (2) Regulation of outdoor lighting is also intended to promote lighting design that provides for public safety and conserves electrical energy.
- (3) It is the intent that, in addition to the regulations set forth in Section 142.0740, outdoor lighting fixtures shall be installed and operated in compliance with the following regulations, to the extent applicable:
 - (A) California Energy Code, California Code of Regulations, Title 24, Part 6;
 - (B) Green Building Regulations (Chapter 14, Article 10); and
 - (C) Electrical Regulations (Chapter 14, Article 6).

(b) Applicability

All new outdoor lighting fixtures, including the replacement of *previously conforming* outdoor lighting fixtures, shall comply with Section 142.0740.

Maintenance, repair, and replacement of parts within a *previously conforming* outdoor lighting fixture shall be exempt if the new parts are of generally the same type and size as those that comprise the existing outdoor lighting fixture.

(c) General regulations that apply to all outdoor lighting:

(1) Outdoor lighting shall comply with the applicable California Energy Code lighting power requirement for the lighting zones identified on Map C-948 filed in the office of the City Clerk.

(2) Shields and flat lenses shall be required to control and direct the light below an imaginary horizontal plane passing through the lowest point of the fixture, except for:

(A) Residential entrance lights installed in accordance with the California Building Code and Electric Code requirements;

(B) Outdoor lighting fixtures less than 4,050 lumens including landscape lighting and decorative lighting;

(C) Outdoor lighting installed to meet Federal Aviation Administration requirements;

(D) A *designated historical resource*;

(E) Lighting for sports and athletic fields;

(F) Outdoor illuminated *signs*; and

- (G) Maintenance to existing outdoor lighting when the following applies:
- (i) The work does not involve the installation of a new light standard, a new lighting fixture or new wiring;
 - (ii) The work does not result in an increase in electrical load; and
 - (iii) Where applicable, the spacing of existing *previously conforming* light standards is greater than six times the mounting height of the existing outdoor lighting.
- (3) New outdoor lighting fixtures shall minimize light trespass in accordance with the Green Building Regulations where applicable, or otherwise shall direct, shield, and control light to keep it from falling onto surrounding properties. Zero direct-beam illumination shall leave the *premises*.
- (4) Outdoor lighting shall not exceed nominal 4000 Kelvin Color Correlated Temperature (CCT).
- (5) All outdoor lighting, including search lights, shall be turned off between 11:00 P.M. and 6:00 A.M. except:
- (A) Outdoor lighting may remain lighted for commercial and industrial uses that continue to be fully operational after 11:00 P.M. such as sales, assembly, and repair; and for security purposes or to illuminate walkways, roadways, equipment yards, and parking lots subject to the following:

- (i) Adequate lighting for public safety shall be maintained.
Outdoor lighting shall otherwise be reduced after 11:00 P.M. where practicable.
 - (ii) Within 30 miles of the Palomar and Mount Laguna observatories, outdoor lighting after 11:00 P.M. shall be limited to a maximum of 4,050 lumens per fixture or a maximum of 2500 Kelvin CCT.
- (B) Outdoor lighting for the following is permitted to remain lighted after 11:00 P.M. and is exempt from the maximum Kelvin CCT and maximum lumen requirements specified in Section 142.0740(c)(4) and (c)(5)(A):
- (i) Outdoor lighting used to illuminate recreational activities that are not in a residential zone may continue after 11:00 P.M. only when equipped with automatic timing devices and shielded to minimize light pollution.
 - (ii) Illuminated on-premises *signs* for businesses that are open to the public after 11:00 P.M. may remain lighted during business operating hours only. Illuminated off-premises *advertising display signs* shall not be lighted after 11:00 P.M. *Signs* located both on-and off-premises shall be equipped with automatic timing devices.
 - (iii) Outdoor lighting for automated teller machines and associated parking lot facilities and access areas shall be

provided during hours of darkness in accordance with
California Financial Code Sections 13040-13041.

- (C) Outdoor lighting for illumination of the flag of the United States of America.
- (6) On properties which are adjacent to or contain *sensitive biological resources*, any exterior lighting shall be limited to low-level lights and shields to minimize the amount of light entering any identified *sensitive biological resource* areas.
- (7) Prior to installation of an outdoor light fixture, an Electrical Permit shall be obtained when required in accordance with Section 129.0302. When an Electrical Permit is required, the *applicant* shall identify the proposed light fixture schedule to the satisfaction of the Building Official including the number of lumens and the backlight, up light, and glare rating for each fixture to demonstrate compliance with Section 142.0740.
- (d) Outdoor lighting within the Centre City Planned District, Gaslamp Quarter Planned District, and Marina Planned District is exempt from the flat lens, color temperature, and curfew requirements identified in Section 142.0740(c)(2), (4), and (5) in order to meet the unique needs of downtown including active night time commercial and entertainment uses, high pedestrian activity, and enhancement of the City's downtown skyline in accordance with the Downtown Community Plan.
- (e) Temporary outdoor lighting (including lighting for temporary uses, special events, and seasonal holiday lighting) is exempt from Section 142.0740(c)(2), (4), and (5)

where the lighting does not exceed 60 consecutive days or more than 120 days during any one year period.

- (f) Deviations from Section 142.0740 may be requested with a Process Four Planned Development Permit in accordance with Section 126.0602(b)(1).
- (g) Outdoor lighting on facilities or lands owned, operated, controlled or protected by the United States Government, State of California, County of San Diego, City of San Diego, or other public entity or public agency not subject to City of San Diego ordinances is exempt from the requirements of this division. Voluntary compliance with the intent of Section 142.0740 is encouraged.

Section 2. That Chapter 14, Article 10, Division 1 of the San Diego Municipal Code is amended by amending sections 1410.0104, 1410.0105, and 1410.0106, to read as follows:

§1410.0104 Portions of the 2010 California Green Building Standards Code Not Adopted by the City of San Diego

- (a) Section 5.106.8.1 Effective date.
- (b) “Reserved.”

§1410.0105 Modifications to the 2010 California Green Building Standards Code Adopted by the City of San Diego

- (a) Section 5.106.8 Light pollution reduction non-residential buildings.
- (b) “Reserved.”

§1410.0106 Additions to the 2010 California Green Building Standards Code Adopted by the City of San Diego

- (a) Section 4.106.8 Light pollution reduction residential buildings.
- (b) “Reserved.”

Section 3. That Chapter 14, Article 10 of the San Diego Municipal Code is amended by adding a new Division 4, titled Local Additions and Modifications to the 2010 California Green Building Regulations – Residential, and by adding new section 1410.0401, to read as follows:

§1410.0401 Light Pollution Reduction for Residential Buildings.

(a) Section 4.106.8 is added to the California Green Building Standards Code pursuant to Section 1410.0106 of the San Diego Municipal Code in accordance with Section 1410.0401(b).

(b) 4.106.8 Light pollution reduction.

Outdoor lighting systems installed on residential buildings shall comply with the following requirements:

- (1) The requirements in the California Energy Code for Lighting Zones 1-4 as defined in Chapter 10 of the California Administrative Code and identified on the City's adopted Map C-948 filed in the office of the City Clerk;
- (2) Backlight, Uplight and Glare (BUG) ratings as defined in IESNA TM-15-11 for Lighting Zones referenced in Section 1410.0401(b)(1) shall not exceed those shown in Table 5.106.8 of the California Green Building Standards Code; and
- (3) City of San Diego Outdoor Lighting Regulations in Section 142.0740 of the Land Development Code, including local requirements in Section 142.0740(c)(2) for shields and flat lenses and requirements in Section 142.0740(c)(3) to minimize light

trespass that are more restrictive than the California Green Building Standards Code.

- (4) Exceptions to Section 1410.0401:
 - (A) Luminaires that qualify as exceptions in Section 147 of the California Energy Code
 - (B) Emergency lighting

Section 4. That Chapter 14, Article 10 of the San Diego Municipal Code is amended by adding a new Division 5, titled Local Additions and Modifications to the 2010 California Green Building Regulations – Non Residential, and by adding new section 1410.0501, to read as follows:

§1410.0501 Light Pollution Reduction for Non-Residential Buildings.

- (a) Section 5.106.8 of the California Green Building Standards Code is adopted as modified pursuant to Section 1410.0105 of the San Diego Municipal Code in accordance with Section 1410.0501(b).
- (b) 5.106.8 Light pollution reduction.

Outdoor lighting systems installed on non-residential buildings shall comply with the following requirements:

 - (1) The requirements in the California Energy Code for Lighting Zones 1-4 as defined in Chapter 10 of the California Administrative Code and identified on the City's adopted Map C-948 filed in the office of the City Clerk;
 - (2) Backlight, Uplight and Glare (BUG) ratings as defined in IESNA TM-15-11 for Lighting Zones referenced in Section

1410.0501(b)(1) shall not exceed those shown in Table 5.106.8 of the California Green Building Standards Code; and

- (3) City of San Diego Outdoor Lighting Regulations in Section 142.0740 of the Land Development Code, including local requirements in Section 142.0740(c)(2) for shields and flat lenses and requirements in Section 142.0740(c)(3) to minimize light trespass that are more restrictive than the California Green Building Standards Code.

- (c) Section 5.106.8.1 of the California Green Building Standards Code is not adopted by the City of San Diego, pursuant to Section 1410.0104 of the San Diego Municipal Code.

Section 5. That Map C-948, on file in the office of the City Clerk is hereby adopted.

Section 6. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 7. That prior to becoming effective, this ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

Section 8. That if the SDCRAA finds this ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport (Lindberg Field), Marine Corps Air Station (MCAS) Miramar, Gillespie Field, Montgomery Field, and Brown Field Airports, this ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, except that the provisions of this ordinance inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego

Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

Section 9. That if the SDCRAA determines that this ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for San Diego International Airport (Lindberg Field), MCAS Miramar, Gillespie Field, Montgomery Field, or Brown Field Airports, the ordinance shall be submitted to the City Council for reconsideration.

Section 10. That if the SDCRAA determines that this ordinance is conditionally consistent with the ALUCPs for San Diego International Airport (Lindberg Field), MCAS Miramar, Gillespie Field, Montgomery Field, or Brown Field Airports, but that consistency is subject to proposed modifications, the City Council may amend this ordinance to accept the proposed modifications, and this ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance as amended inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

Section 11. That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the MCAS Miramar, Gillespie Field, Montgomery Field, or Brown Field Airports; and the City Council shall hold a second hearing not less than 45 days from the date the proposed decision

and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 12. That if the City Council makes a final decision to overrule a determination of inconsistency, this ordinance shall take effect and be in force on the thirtieth day from and after that final decision, except that the provisions of this ordinance inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.


APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon M. Thomas
Deputy City Attorney

SMT:als
6/26/2012
7/24/2012 Cor.Copy
Or.Dept:DSD
Doc. No. 351971_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 24 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7.31.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 2, DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 142.0740; BY AMENDING CHAPTER 14, ARTICLE 10, DIVISION 1 BY AMENDING SECTIONS 1410.0104, 1410.0105, AND 1410.0106; BY AMENDING CHAPTER 14, ARTICLE 10, BY ADDING A NEW DIVISION 4 TITLED LOCAL ADDITIONS AND MODIFICATIONS TO THE 2010 CALIFORNIA GREEN BUILDING REGULATIONS – RESIDENTIAL, AND BY ADDING NEW SECTION 1410.0401; BY AMENDING CHAPTER 14, ARTICLE 10, BY ADDING A NEW DIVISION 5 TITLED LOCAL ADDITIONS AND MODIFICATIONS TO THE 2010 CALIFORNIA GREEN BUILDING REGULATIONS – NON RESIDENTIAL, AND BY ADDING NEW SECTION 1410.0501, ALL RELATING TO OUTDOOR LIGHTING.

Article 2: General Development Regulations

Division 7: Off-Site Development Impact Regulations

§142.0740 Outdoor Lighting Regulations

(a) Purpose and Intent

- (1) Outdoor lighting fixtures shall be installed in a manner that minimizes negative impacts from light pollution including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination.

(2) Regulation of outdoor lighting is also intended to promote lighting design that provides for public safety and conserves electrical energy. Outdoor lighting is regulated by the State of California's Building Energy Efficient Standards of Title 24 of the California Code of Regulations, parts 1 and 6 [Title 24]. No light fixtures shall exceed the light emission requirements of Section 142.0740 unless the light emission requirements of Section 142.0740 do not comply with Title 24's energy efficient standards.

(3) It is the intent that, in addition to the regulations set forth in Section 142.0740, outdoor lighting fixtures shall be installed and operated in compliance with the following regulations, to the extent applicable:

(A) California Energy Code, California Code of Regulations, Title 24,

Part 6;

(B) Green Building Regulations (Chapter 14, Article 10); and

(C) Electrical Regulations (Chapter 14, Article 6).

(b) Outdoor lighting fixtures that are used to illuminate a *premises*, architectural feature or landscape feature on private property shall be directed, shielded, or located in such a manner that the light source is not visible offsite, to minimize light emission above the horizontal plane and so that light does not fall onto surrounding properties or create glare hazards within public *rights-of-way*.

(b) Applicability

All new outdoor lighting fixtures, including the replacement of *previously conforming* outdoor lighting fixtures, shall comply with Section 142.0740.

Maintenance, repair, and replacement of parts within a *previously conforming*

outdoor lighting fixture shall be exempt if the new parts are of generally the same type and size as those that comprise the existing outdoor lighting fixture.

(c) General regulations that apply to all outdoor lighting:

(1) Outdoor lighting shall comply with the applicable California Energy Code lighting power requirement for the lighting zones identified on Map C-948 filed in the office of the City Clerk.

(2) Shields and flat lenses shall be required to control and direct the light below an imaginary horizontal plane passing through the lowest point of the fixture, except for:

(A) Residential entrance lights installed in accordance with the California Building Code and Electric Code requirements;

(B) Outdoor lighting fixtures less than 4,050 lumens including landscape lighting and decorative lighting;

(C) Outdoor lighting installed to meet Federal Aviation Administration requirements;

(D) A designated historical resource;

(E) Lighting for sports and athletic fields;

(F) Outdoor illuminated signs; and

(G) Maintenance to existing outdoor lighting when the following applies:

(i) The work does not involve the installation of a new light standard, a new lighting fixture or new wiring;

- (ii) The work does not result in an increase in electrical load;

and

(iii) Where applicable, the spacing of existing *previously*
conforming light standards is greater than six times the
mounting height of the existing outdoor lighting.
- (3) New outdoor lighting fixtures shall minimize light trespass in accordance
with the Green Building Regulations where applicable, or otherwise shall
direct, shield, and control light to keep it from falling onto surrounding
properties. Zero direct-beam illumination shall leave the *premises*.
- (4) Outdoor lighting shall not exceed nominal 4000 Kelvin Color Correlated
Temperature (CCT).
- (5) All outdoor lighting, including search lights, shall be turned off between
11:00 P.M. and 6:00 A.M. except:

 - (A) Outdoor lighting may remain lighted for commercial and industrial
uses that continue to be fully operational after 11:00 P.M. such as
sales, assembly, and repair; and for security purposes or to
illuminate walkways, roadways, equipment yards, and parking lots
subject to the following:

 - (i) Adequate lighting for public safety shall be maintained.

Outdoor lighting shall otherwise be reduced after 11:00
P.M. where practicable.
 - (ii) Within 30 miles of the Palomar and Mount Laguna
observatories, outdoor lighting after 11:00 P.M. shall be

limited to a maximum of 4,050 lumens per fixture or a
maximum of 2500 Kelvin CCT.

(B) Outdoor lighting for the following is permitted to remain lighted
after 11:00 P.M. and is exempt from the maximum Kelvin CCT
and maximum lumen requirements specified in Section
142.0740(c)(4) and (c)(5)(A):

(i) Outdoor lighting used to illuminate recreational activities
that are not in a residential zone may continue after 11:00
P.M. only when equipped with automatic timing devices
and shielded to minimize light pollution.

(ii) Illuminated on-premises signs for businesses that are open
to the public after 11:00 P.M. may remain lighted during
business operating hours only. Illuminated off-premises
advertising display signs shall not be lighted after 11:00
P.M. Signs located both on-and off-premises shall be
equipped with automatic timing devices.

(iii) Outdoor lighting for automated teller machines and
associated parking lot facilities and access areas shall be
provided during hours of darkness in accordance with
California Financial Code Sections 13040-13041.

(C) Outdoor lighting for illumination of the flag of the United States of
America.

- (6) On properties which are adjacent to or contain *sensitive biological resources*, any exterior lighting shall be limited to low-level lights and shields to minimize the amount of light entering any identified *sensitive biological resource areas*.
- (7) Prior to installation of an outdoor light fixture, an Electrical Permit shall be obtained when required in accordance with Section 129.0302. When an Electrical Permit is required, the *applicant* shall identify the proposed light fixture schedule to the satisfaction of the Building Official including the number of lumens and the backlight, up light, and glare rating for each fixture to demonstrate compliance with Section 142.0740.
- ~~(e) Outdoor lighting on commercial and industrial properties shall be equipped with automatic timing devices.~~
- ~~(d) Outdoor lighting fixtures that are existing and were legally installed before October 28, 1985, shall be exempt from Sections 141.0740(a) and (b), unless work is proposed over any period of time to replace 50 percent or more of the existing outdoor light fixtures or to increase the number of outdoor light fixtures by 50 percent or more on the premises.~~
- ~~(e) All outdoor lighting, including search lights, shall be turned off between 11:00P.M. and 6:00A.M. except:~~
- ~~(1) Outdoor lighting in conjunction with commercial and industrial uses that continue to be fully operational after 11:00P.M. such as sales, assembly, and repair may remain lighted after 11:00P.M., provided that all lights are shielded, equipped with automatic~~

timing devices, and utilize only the minimum amount of light necessary to conduct such uses;

(2) — ~~Outdoor lighting used for security purposes or to illuminate walkways, roadways, equipment yards, and parking lots may remain lighted after 11:00P.M. where the lighting meets the following criteria:~~

(A) — ~~Where located within 30 miles of the Palomar Observatory or Mount Laguna Observatory, lighting fixtures below 4,050 lumens are permitted. Lighting fixtures above 4,050 lumens shall be limited to low pressure sodium or high pressure sodium equipped with full cut-off optics (fixtures with flat lenses that limit lamination to below the horizontal plane of the fixture or 0 percent up-light). Where high pressure sodium lighting fixtures are proposed, a photometric study or lighting power density calculation of ground lighting levels shall be required to demonstrate that a 3-foot candle or 0.19 watts per square foot average will not be exceeded.~~

(B) — ~~Where located 30 miles or more from the Palomar Observatory or Mount Laguna Observatory, lighting fixtures below 4,050 lumens are permitted. Lighting fixtures above 4,050 lumens shall be limited to low pressure sodium or high pressure sodium and equipped~~

with cut-off optics (fixtures that limit illumination to less than 2.5 percent up light).

- (3) ~~Outdoor lighting used to illuminate recreational activities that are not in a residential zone may continue after 11:00P.M. only when equipped with automatic timing devices and shielded to minimize light pollution; and~~
- (4) ~~Illuminated on-premises signs for businesses that are open to the public after 11:00P.M. may remain lighted during business operating hours only. Illuminated off-premises advertising display signs shall not be lighted after 11:00P.M. Signs located both on- and off-premises shall be equipped with automatic timing devices.~~
- (5) ~~Outdoor lighting for automated teller machines and associated parking lot facilities and access areas shall be provided during hours of darkness in accordance with the California Financial Code Section 13040-13041. Lighting fixtures shall be directed or shielded so that light does not fall onto surrounding properties or create glare hazards within public rights-of-way.~~
- (f) ~~On properties which are adjacent to or contain sensitive biological resources, any exterior lighting shall be limited to low-level lights and shields to minimize the amount of light entering any identified sensitive biological resource areas.~~
- (d) Outdoor lighting within the Centre City Planned District, Gaslamp Quarter Planned District, and Marina Planned District is exempt from the flat lens, color temperature, and curfew requirements identified in Section 142.0740(c)(2), (4),

and (5) in order to meet the unique needs of downtown including active night time commercial and entertainment uses, high pedestrian activity, and enhancement of the City's downtown skyline in accordance with the Downtown Community Plan.

(e) Temporary outdoor lighting (including lighting for temporary uses, special events, and seasonal holiday lighting) is exempt from Section 142.0740(c)(2), (4), and (5) where the lighting does not exceed 60 consecutive days or more than 120 days during any one year period.

(f) Deviations from Section 142.0740 may be requested with a Process Four Planned Development Permit in accordance with Section 126.0602(b)(1).

(g) Outdoor lighting on facilities or lands owned, operated, controlled or protected by the United States Government, State of California, County of San Diego, City of San Diego, or other public entity or public agency not subject to City of San Diego ordinances is exempt from the requirements of this division. Voluntary compliance with the intent of Section 142.0740 is encouraged.

Article 10: Green Building Regulations

Division 1: Adoption and Applicability of the Green Building Regulations

§1410.0104 Portions of the 2010 California Green Building Standards Code Not Adopted by the City of San Diego

(a) Section 5.106.8.1 Effective date.

(b) "Reserved."

§1410.0105 Modifications to the 2010 California Green Building Standards Code

Adopted by the City of San Diego

~~No local modifications to the 2010 California Green Building Standards Code are adopted by the City of San Diego.~~

~~(a) Section 5.106.8 Light pollution reduction non-residential buildings.~~

~~(b) "Reserved."~~

§1410.0106 Additions to the 2010 California Green Building Standards Code Adopted by the City of San Diego

~~No local additions to the 2010 California Green Building Standards Code are adopted by the City of San Diego.~~

~~(a) Section 4.106.8 Light pollution reduction residential buildings.~~

~~(b) "Reserved."~~

Division 4: Local Additions and Modifications to the 2010 California Green Building Regulations - Residential

§1410.0401 Light Pollution Reduction for Residential Buildings.

~~(a) Section 4.106.8 is added to the California Green Building Standards Code pursuant to Section 1410.0106 of the San Diego Municipal Code in accordance with Section 1410.0401(b).~~

~~(b) 4.106.8 Light pollution reduction.~~

~~Outdoor lighting systems installed on residential buildings shall comply with the following requirements:~~

~~(1) The requirements in the California Energy Code for Lighting Zones 1-4 as defined in Chapter 10 of the California~~

Administrative Code and identified on the City's adopted Map
C-948 filed in the office of the City Clerk;

(2) Backlight, Uplight and Glare (BUG) ratings as defined in IESNA
TM-15-11 for Lighting Zones referenced in Section
1410.0401(b)(1) shall not exceed those shown in Table 5.106.8 of
the California Green Building Standards Code; and

(3) City of San Diego Outdoor Lighting Regulations in Section
142.0740 of the Land Development Code, including local
requirements in Section 142.0740(c)(2) for shields and flat lenses
and requirements in Section 142.0740(c)(3) to minimize light
trespass that are more restrictive than the California Green
Building Standards Code.

(4) Exceptions to Section 1410.0401:

(A) Luminaires that qualify as exceptions in Section 147 of the
California Energy Code

(B) Emergency lighting

Division 5: Local Additions and Modifications to the 2010 California

Green Building Regulations – Non Residential

§1410.0501 Light Pollution Reduction for Non-Residential Buildings.

(a) Section 5.106.8 of the California Green Building Standards Code is
adopted as modified pursuant to Section 1410.0105 of the San Diego
Municipal Code in accordance with Section 1410.0501(b).

(b) 5.106.8 Light pollution reduction.

Outdoor lighting systems installed on non-residential buildings shall
comply with the following requirements:

- (1) The requirements in the California Energy Code for Lighting
Zones 1-4 as defined in Chapter 10 of the California
Administrative Code and identified on the City's adopted Map
C-948 filed in the office of the City Clerk;
 - (2) Backlight, Uplight and Glare (BUG) ratings as defined in IESNA
TM-15-11 for Lighting Zones referenced in Section
1410.0501(b)(1) shall not exceed those shown in Table 5.106.8 of
the California Green Building Standards Code; and
 - (3) City of San Diego Outdoor Lighting Regulations in Section
142.0740 of the Land Development Code, including local
requirements in Section 142.0740(c)(2) for shields and flat lenses
and requirements in Section 142.0740(c)(3) to minimize light
trespass that are more restrictive than the California Green
Building Standards Code.
- (c) Section 5.106.8.1 of the California Green Building Standards Code is not
adopted by the City of San Diego, pursuant to Section 1410.0104 of the
San Diego Municipal Code.

SMT:als
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