

**CALIFORNIA COASTAL COMMISSION**

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October 30, 2013

# Th15c

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT  
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO LCP AMENDMENT  
No. SAN-MAJ-5-12 (Outdoor Lighting Regulations) for Commission Meeting of  
November 13-15, 2013**

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## SYNOPSIS

The subject LCP implementation plan amendment was submitted and filed as complete on February 8, 2013 and consists of this single item addressing outdoor lighting regulations. At the March 2013 hearings, the Commission granted a one year extension of time to consider the subject amendment. Due to other pending workload from the City of San Diego, this matter was tentatively scheduled for the October 2013 hearing but it had to be postponed given other workload demands on that agenda. The final date for Commission action on this item would be the March 2014 hearing.

## SUMMARY OF AMENDMENT REQUEST

The City of San Diego is proposing to amend Chapter 14, Article 2, Division 7 of its certified Land Development Code (LDC), which serves in large part as the implementation plan for the City's LCP, as it pertains to outdoor lighting regulations. Specifically, the key elements of the amended regulations would allow for some broad spectrum/energy efficient light to be used after 11 p.m. for public safety and security; require shielding and flat lenses for fixtures over 4,050 lumens to minimize light pollution; establish a new color temperature limit of 4000 Kelvin Color Correlated Temperature (CCT) to minimize impacts from blue light; limit light trespass for all development types; require new fixtures to comply with Green Building limits for backlight, up-light and glare that are more restrictive than the voluntary measures currently recommended by State law and require that light be directed away from sensitive biological resource areas. The proposed amendment also included the adoption of maps specifying local lighting zones; within the City of San Diego, all areas are mapped as either Lighting Zones (LZ) 2 or 3. Lighting Zone 2 was applied to the less urbanized areas of the City, such as the San Dieguito River Valley, Los Pensacitos Canyon and Tijuana River Valley.

## **SUMMARY OF STAFF RECOMMENDATION**

Under the Coastal Act, the areas for potential concern relative to outdoor lighting center on three issue areas. First and foremost, there is the potential for direct and indirect lighting effects to adversely impact the natural environment and wildlife species, including, but not limited to, sensitive habitat areas, species of concern and birds, including their seasonal migration. In addition, lighting effects can potentially conflict with coastal access and recreational opportunities as individuals seek to enjoy the dark sky environment in more undeveloped areas. Finally, different lighting can also impact the aesthetics of certain neighborhoods or community character. Sources of light pollution include light trespass, glare, sky glow and excess illumination, all of which can disrupt ecosystems. Although the City of San Diego's jurisdiction is dominated by an urban environment, there are still extremely valuable and sensitive habitat areas that remain and are preserved through many of its river valleys, such as the San Dieguito River or Tijuana River Valleys, and coastal canyons, such as the Los Penasquitos Canyon Preserve. Within these areas, there are many areas of sensitive biological resources and areas sought by coastal visitors for passive recreation or respite from the built environment. In addition, the Palomar and Mt. Laguna observatories are based in the County and their operations are impacted by the outdoor lighting regulations of the various local governments.

In this amendment, though, the Commission is not addressing the merits of a particular development proposal. Such review for a proposed development with a lighting component will still occur through the discretionary review processes of the City's certified LCP to approve, approve with conditions or deny any future coastal development permit request. Where lighting is proposed as a project feature of a development proposal, the lighting will be considered as part of the evaluation of the potential impacts of that development. If environmentally sensitive lands are involved, a site or neighborhood development permit will typically be required, along with full environmental review, in association with the coastal development permit. These amended regulations would then also apply to any prospective development and also apply to any general lighting improvements.

The proposed amendments to the City's outdoor lighting regulations are consistent with or more restrictive than current State law. In addition, the City's ordinance is more protective of biological resource areas by further limiting the amount and type of light that may be utilized in or adjacent to such areas. Specifically, the City has included a light trespass standard that requires zero direct beam illumination leave the premises. Existing code language that specifies for properties which are adjacent to or contain sensitive biological resources, exterior lighting must be limited to low-level lights and shielded to minimize the amount of light entering any identified resource area is retained. The existing lighting curfew between 11 p.m. and 6 a.m., with limited exceptions, is also continued. A new code provision that all lighting must comply with the Green Building Regulations for backlight, uplight and glare (BUG) ratings, as well as incorporate shielding and flat lenses for all development, is important because residential development is the predominant land use situated along coastal canyons and adjacent to less urbanized areas.

The amended regulations also impose a new color temperature (CCT) standard that eliminates use of the most offensive spectrum of light (i.e. blue light) that conflicts with biological values and the work of the region's observatories. With the adoption of the color temperature standard and the provision for zero direct-beam illumination to address the wavelength of light and light trespass concerns, along with the retention of the existing language on adjacency issues with lighting next to sensitive biological resources, the proposed regulations will promote lighting design that provides for public safety and conserves electrical energy, while also minimizing light pollution and protecting sensitive biological resources. The proposed amendment is consistent with, and adequate to carry out, the certified land use plans and the amended outdoor lighting regulations can therefore be approved as submitted.

The appropriate resolution and motion begin on Page 5. The findings for approval of the Implementation Plan Amendment as submitted also begin on Page 5.

### **BACKGROUND**

The City's first Implementation Plan (IP) was certified in 1988, and the City assumed permit authority shortly thereafter. The IP consisted of portions of the City's Municipal Code, along with a number of Planned District Ordinances (PDOs) and Council Policies. Late in 1999, the Commission effectively certified the City's Land Development Code (LDC) that includes Chapters 11 through 14 of the municipal code. It replaced the first IP in its entirety and went into effect in the coastal zone on January 1, 2000. The Commission has certified many IP amendments since 2000.

### **ADDITIONAL INFORMATION**

Further information on the City of San Diego LCP Amendment #3-11 may be obtained from **Deborah Lee**, District Manager, at (619) 767-2370.

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## **PART I. OVERVIEW**

### **A. LCP HISTORY**

The City of San Diego has a long history of involvement with the community planning process; as a result, in 1977, the City requested that the Coastal Commission permit segmentation of its Land Use Plan (LUP) into twelve parts in order to have the LCP process conform, to the maximum extent feasible, with the City's various community plan boundaries. In the intervening years, the City has intermittently submitted all of its LUP segments, which are all presently certified, in whole or in part.

When the Commission approved segmentation of the LUP, it found that the implementation phase of the City's LCP would represent a single unifying element. This was achieved in January 1988, and the City of San Diego assumed permit authority on October 17, 1988 for the majority of its coastal zone. Several isolated areas of deferred certification remained at that time; some of these have been certified since through the LCP amendment process. Other areas of deferred certification remain today and are completing planning at a local level; they will be acted on by the Coastal Commission in the future.

Since effective certification of the City's LCP, there have been numerous major and minor amendments processed. These have included everything from land use revisions in several segments, to the rezoning of single properties, and to modifications of citywide ordinances. In November 1999, the Commission certified the City's Land Development Code (LDC), and associated documents, as the City's IP, replacing the original IP adopted in 1988. The LDC became effective in January, 2000.

### **B. STANDARD OF REVIEW**

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

### **C. PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to its submittal to the Commission for review. The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

**PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. MOTION:**     *I move that the Commission reject the Implementation Program Amendment for the City of San Diego No. 5-12 as submitted.*

**STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:**

The Commission hereby certifies the Implementation Program Amendment for the City of San Diego as submitted and adopts the findings set forth below on grounds that the Implementation Program Amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plans, and certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program.

**PART III. FINDINGS FOR APPROVAL OF THE CITY OF SAN DIEGO IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED****A. AMENDMENT DESCRIPTION**

The City of San Diego is proposing to amend its certified Land Development Code (LDC), which serves in large part as the implementation plan for the City's LCP, as it pertains to outdoor lighting regulations (Section 142.0740). Specifically, the key elements of the amended regulations would allow for some broad spectrum/energy efficient light to be used after 11 p.m. for public safety and security; require shielding and flat lenses for fixtures over 4,050 lumens to minimize light pollution; establish a new color temperature limit of 4000 Kelvin Color Correlated Temperature (CCT) to minimize impacts from blue light; limit light trespass for all development types; require new fixtures to comply with Green Building Regulations for backlight, up-light and glare that are more restrictive than the voluntary measures currently recommended by State law and require that light be directed away from sensitive biological resource areas. The

proposed amendment also included the adoption of maps specifying local lighting zones; within the City of San Diego, all areas are mapped as either Lighting Zones (LZ) 2 or 3. Lighting Zone 2 was applied to the less urbanized areas of the City, such as the San Dieguito River Valley, Los Pensacitos Canyon and Tijuana River Valley.

## **B. FINDINGS FOR APPROVAL**

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP(s).

### **a) Purpose and Intent of the Ordinance.**

The stated purpose and intent of the proposed ordinance, as amended, is to minimize negative impacts from light pollution including light trespass, glare and urban sky glow in order to preserve enjoyment of the night sky and minimize conflicts. In addition, regulation of outdoor lighting is intended to provide for public safety and electrical energy conservation.

### **b) Major Provisions of the Ordinance.**

The major provisions of the ordinance include the following:

- Allows for use of some broad spectrum/energy efficient lighting after 11 p.m. for public safety and security;
- Requires shields and flat lenses for fixtures over 4,050 lumens to direct the light below an imaginary horizontal plane passing through the lowest point of the fixture, except for residential entrance lights, lighting installed to meet Federal Aviation Administration requirements, designated historical resources, sports and athletic fields, outdoor illuminated signs and general maintenance of existing signage;
- Establishes a new color temperature limit of 4000 Kelvin CCT to minimize impacts from blue light, along with a lower limit (2500 K CCT) for areas within 30 miles of the region's observatories after 11 p.m.;
- Limits light trespass for all development;
- Requires new fixtures to comply with Green Building provisions for backlight, up-light and glare that are more restrictive than currently required by State law;
- Requires light be directed away from sensitive biological resource areas;
- Requires new fixtures to minimize light trespass and direct, shield and control light to keep it from falling onto surrounding properties;
- Establishes standard that zero direct-beam illumination shall leave the premises;
- Maintains a general curfew for all outdoor lighting, including search lights, and requires such lighting to be turned off between 11 p.m. and 6 a.m. except for businesses that remain operational during that time but imposes more restrictive provisions for them if located within 30 miles of the Palomar or Mt. Laguna observatories (maximum 4,050 lumens per fixture or a maximum of 2500 Kelvin CCT);

- Permits outdoor lighting after 11 p.m. for recreational activities outside of residential zones, illuminated on-premises signage for businesses that remain operational during the night and financial institutions with certain restrictions;
- Exempts the downtown area of the City from the flat lens, color temperature and curfew requirements of the proposed ordinance;
- Provides for exemption of temporary outdoor lighting where the lighting does not exceed 60 consecutive days or more than 120 days during any one year period; and
- Establishes development review procedures for any requested deviations from the proposed regulations.

c) **Adequacy of the Ordinance to Implement the Certified LUP Segments.**

As noted earlier, the primary Coastal Act issues to be considered relative to outdoor lighting regulation focus on the potential for direct and indirect lighting effects to adversely impact the natural environment and wildlife species, including, but not limited to, sensitive habitat areas, species of concern and birds, including their seasonal migration. The effects of night lighting on sensitive habitats and species is not well understood but it is an area of growing concern and there is general acceptance of the need to limit light pollution to the extent feasible. In addition, lighting effects can potentially conflict with coastal access and recreational opportunities as individuals seek to enjoy the dark sky environment in more undeveloped areas. Finally, different lighting can also impact the aesthetics of certain neighborhoods or community character.

Based on the City record, the impetus for the proposed amendments were to better address public safety needs and provide options for lighting improvements that conserved more energy. The stated purpose was to provide for preferable, more energy efficient options without sacrificing public safety interests or environmental goals. In 2008, the Land Development Code (LDC) was updated to allow lighting alternatives to low pressure sodium lights for private property owners but there was substantial involvement at that time from dark sky advocates and astronomers committed to continued protection of the region's observatories. At that time, and as part of the 5<sup>th</sup> Update to the LDC, the Commission approved the revisions to the outdoor lighting regulations as submitted. The potential for significant cost and energy savings, as well as better quality light for safety, is what prompted the current amendments. The City found that the current code required monochromatic lighting in parking lots or for security after 11 p.m., which resulted in a dark environment for facilities instead of a secure environment. The code also doesn't include the flexibility to allow for energy efficient lighting (with greater color rendition) for public safety and security during the night that are now available.

Broad spectrum light is more desirable for consumers because it is energy efficient, has better color rendition for safety and more attractive lighting design, allows for better control of light usage and is dimmable. This makes broad spectrum lighting more consumer-friendly and economical; it also makes it easier for property owners to meet lighting curfew requirements. Given San Diego's developed urban environment, public safety needs must be reconciled with environmental goals to protect sensitive biological

resources and limit light pollution. Dark sky advocates promote the use of low pressure sodium light but it is energy inefficient, difficult to control or direct and does not produce good color rendition. The compromise position supported by the region's observatories was to limit lighting to monochromatic light sources (i.e. low pressure sodium) within 30 miles of the observatories and allow broad spectrum lighting in areas further away. The adoption of the new limit on color temperature was a significant improvement for the observatories because it is the wavelength of light that interferes most with their work. It also present the greatest risk to biological resources and wildlife.

As an alternative to low pressure or high pressure sodium lighting, the current revisions would allow for the use of broad spectrum lighting after 11 p.m. in parking lots and for security purposes in accordance with State codes. To offset any potential increase in light pollution by the allowance for broad spectrum lighting options, new provisions are being incorporated into the regulations; these include a requirement for outdoor lighting to have full cut off lenses that allow zero up light and the imposition of a maximum cap of 4000 Kelvin color correlated temperature (CCT) or light appearance. Color temperature ranges from warm to cool, where warmer light appears more yellow or bright white and cooler light appears more blue. The proposed maximum color temperature of 4000 Kelvin CCT is a mid-range limit that would preclude the bluest light sources from being installed and minimize blue light impacts (which are currently believed to interfere with astronomical observatories and circadian sleep rhythms). In addition, this new color temperature cap provides more even illumination for public safety purposes, energy efficiency and is now readily available in multiple products.

Based on the City's analysis, as proposed, the amended regulations would reduce potential light bounce and sky glow impacts by combining the old requirements for shields with new provisions for flat lenses to limit all light below a horizontal plane and by imposing the new 4000 Kelvin CCT color temperature cap to better regulate light appearance. The proposed regulations would also continue to apply a curfew on outdoor lighting between 11 p.m. and 6 a.m. with limited exceptions in order to maintain a dark sky. Special provisions have been proposed for the areas within 30 miles of the two local observatories after 11 p.m. (2500 Kelvin CCT) which is comparable to the current restrictions. For the Palomar Observatory, five of the City's northernmost communities, in whole or in part, fall within its 30 mile radius but none of these areas lie within the coastal zone. For the Mt. Laguna Observatory, there is no City jurisdiction within its 30 mile radius. Representatives of the Palomar and Mt. Laguna observatories have expressed support for the proposed amendments.

The City's environmental assessment also concluded that increased efficiencies of new available lighting options would result in increased energy conservation and reductions in greenhouse gas emissions (through decreased electrical demand and manufacturing). The proposed code changes are also limited to outdoor lighting and would not affect controls on glare or shading with respect to materials or siting options for buildings or windows as those elements would be addressed in the review of development permits.

As noted earlier, the stated purpose of the City's work was to provide for more energy efficient options without sacrificing public safety interests or environmental goals.



Having considered the public safety and energy conservation objectives contained in the amended regulations, the Commission is more critically concerned with the resource protection measures of the proposed code amendment. One of the most important roles of light for both plants and animals is regulation of their biological clocks or circadian rhythms. Animals typically fall into one of several patterns of daily activity. Diurnal animals are active during the day; nocturnal animals are active at night; crepuscular animals are active at dawn and dusk; and 24 hour pattern animals exhibit increased activity at night, dawn and dusk. While humans are diurnal in nature, most other mammals are nocturnal, crepuscular or remain most active over a 24 hour period at night, dawn or dusk. Artificial light or night lighting in habitat areas is expected to adversely impact animals and organisms. Likely effects of artificial night lighting on mammals include avoidance, disorientation, disruption of foraging patterns, increased predation risk, disruption of biological clocks, disruption of dispersal movements among other effects. Daylength, light intensity and light wavelength also play a significant role in regulating seasonal life-cycle patterns for flowering in plants and migration, dispersal, hibernation and reproduction in animals.

The standard of review for LCP implementation submittals or amendments, such as this request, is their consistency with and ability to carry out the provisions of the certified Land Use Plan(s). The resource protection standards, such as limiting permitted uses in wetlands or environmentally sensitive habitat areas or restricting direct and indirect effects on sensitive habitats from new development, are established first in the certified land use plans(s) of each local coastal program. In the case of the City of San Diego, it has developed community planning areas based on its established neighborhoods and future urbanizing area. Predicated on those community planning areas, the City utilized the geographic segmentation provisions of the LCP regulations and developed its land use plan component covering twelve different communities (i.e., North City, La Jolla, Pacific Beach, Mission Beach, Ocean Beach, Peninsula, Otay-Mesa Nestor). Each community plan or LCP Land Use Plan contains policies that protect public views, scenic resources, public access, recreational opportunities and sensitive coastal resources including, but not limited to, beaches, bluffs, slopes, hillsides and environmentally sensitive lands in that community. The Commission's review of the proposed changes to the Land Development Code must assure that development is approved only when consistent with the certified LCP.

Listed below are typical policies contained in the certified Land Use Plan segments in the Coastal Overlay Zone for the City of San Diego.

#### **Torrey Pines Community Plan**

- Land uses adjacent to environmentally sensitive habitats shall not negatively impact those areas.
- Preserve and enhance all open space and wildlife corridors (...), especially those linking Los Penasquitos Lagoon with Torrey Pines State Reserve Extension and the Carroll Canyon Creek Corridor.

- Construction or improvements of roadways adjacent to biologically sensitive areas or open space shall be designed to avoid impacts, especially in wetlands and wetland buffer areas. Protection of sensitive habitats through buffers, realignments and reduced development areas shall also be considered.
- Protect, preserve and enhance the variety of natural features within the San Dieguito River Valley including the floodplain, the open waters of the lagoon and river, wetlands, marshlands and uplands.
- Carroll Canyon Wetland/Wildlife Corridor – New development proposed adjacent to and impacting this open space corridor shall enhance and improve the habitat value of this system.

### **La Jolla LCP Land Use Plan**

- The City should preserve and protect the coastal bluffs, beaches and shoreline areas of La Jolla assuring that development occurs in a manner that protects these resources, encourages sensitive development, retains biodiversity and interconnected habitats and maximizes physical and visual public access to and along the shoreline. (pg. 50)

### **Tijuana River Valley Land Use Plan**

- Utility/Treatment Plan – Direct lighting of all developed areas adjacent to the MHPA away from the MHPA. Where necessary, development should provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.

As cited above, the City’s adopted policies for resource protection are identified within the various land use plans and are implemented through sections of the existing Land Development Code (LDC) including the current outdoor lighting regulations and the Environmentally Sensitive Lands (ESL) regulations. The current outdoor lighting regulations (Section 142.0740(c)(6)) protect all sensitive biological resources and require low level lights and shields for any exterior lighting on properties with sensitive biological resources or properties situated adjacent to habitat areas regardless of whether or not any “development” is proposed together with outdoor lighting. This section reads as follows:

[...]

- (6) On properties which are adjacent to or contain sensitive biological resources, any exterior light shall be limited to low-level lights and shields to minimize the amount of light entering any identified *sensitive biological resource* areas.

As defined in the LDC, “*sensitive biological resources*” include uplands and/or wetland areas that meet any one of the following criteria: lands included in the City’s Multiple

Species Conservation Program (MSCP) Preserve; wetlands; lands outside the MSCP Preserve that contain Tier I – Tier IIIB habitats, including southern foredunes, Torrey pines forest, coastal bluff scrub, maritime succulent scrub, maritime chaparral, native grasslands, oak woodlands, coastal sage scrub, coastal sage scrub/chaparral, mixed chaparral, chamise chaparral and non-native grasslands; lands supporting species or subspecies listed as rare, endangered, or threatened under the California Code of Regulations (CCR) or Federal Endangered Species Act; a candidate species under the CCR; lands containing habitats with narrow endemic species and lands containing habitats of covered species as listed in the City’s Biology Guidelines. In the case of a proposed development within the coastal zone also occurring on a site where environmentally sensitive lands are present, a Neighborhood Development Permit or a Site Development Permit would also be required by the ESL ordinance.

The ESL regulations mandate the preservation of wetlands, the provision of wetland buffers, and the protection of sensitive hillsides and habitat areas. These regulations are very rigorous and define specifically what the requirements are for development on a site that contains any of these resources. The LDC and the Coastal Act are both very protective of such resources and allowed very limited impacts, but there are a myriad of indirect and potential off-site impacts (lighting, runoff, fuel mod, etc.) to sensitive resources that may arise even on projects that don’t directly encroach into a wetland or steep hillside. So, in addition to the findings required for the issuance of any coastal development permit, if applicable, the findings necessary to support issuance of a site development permit under the ESL ordinance would also have to be met to authorize any development on a site containing sensitive habitat or resources. Any proposed development must meet the findings of each of the respective permit processes or the development cannot be approved.

Based on the City’s resource protection policies founded in the respective community plans, the environmentally sensitive lands regulations also present in the LDC and the standards incorporated in the amended outdoor lighting regulations, the Commission finds that light pollution will be appropriately controlled to protect sensitive biological resources and wildlife. The specific provisions include the new standard for zero direct beam illumination to leave a property, the establishment of a color temperature limit which eliminates the most harmful type of lighting fixtures, the imposition to incorporate shields and full cutoff fixtures on both residential and non-residential outdoor lighting and the retention of the land use adjacency standard to control lighting when on or adjacent to sensitive habitat areas. The City also promotes the continued curfew for most uses after 11 p.m. as an important element of their efforts. However, for biological resources, organisms and wildlife, artificial lighting impacts are most problematic at dusk and dawn ; so, the continued curfew is not significant as a resource protection measure. Nonetheless, as an integrated approach with the discretionary reviews (coastal development permit and ESL) and the revisions proposed to the outdoor lighting regulations, the Commission finds the proposed amendment conforms with the certified land use plans and the revised outdoor lighting regulations can be approved as submitted.

**PART IV. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

An Environmental Impact Report (EIR No. 96-0333) was prepared, and certified on October 28, 1977 for the original adoption of the Land Development Code. It was determined by the City that, in accordance with CEQA Guidelines Section 15162(a): (1) no substantial changes are proposed to the project (the adoption of the LDC) which would require major revisions of the previous EIR; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous EIR; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous EIR was certified. Therefore, the City determined that no subsequent EIR or other environmental document is needed as all of the impacts were adequately addressed and disclosed in the previously certified EIR.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform with CEQA provisions. In this particular case, the LCP amendment will not have any significant adverse effects on the environment and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact on the environment. Therefore, the Commission finds the subject LCP implementation plan amendment conforms with CEQA provisions.

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

City of San Diego  
LCPA # 5-12  
Outdoor Lighting  
Regulations

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

*see strike-out version*

- ~~(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).



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.

*see strike-out version*

- (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.

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↓ 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 *[Signature]*  
Deputy City Clerk

Approved: 7.31.12  
(date)

*[Signature]*  
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-footcandle 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.

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6/26/2012  
7/24/2012 Cor.Copy  
Or.Dept:DSD  
Doc. No. 352205\_2