ANALYSIS

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to establish a rural outdoor lighting district and regulate outdoor lighting in the district to promote and maintain dark skies at night for the residents and wildlife in the district. The ordinance also modifies the community standards districts located within the district to be consistent with this new dark skies ordinance.

JOHN F. KRATTLI
County Counsel

By
JILL M. JONES
Deputy County Counsel
Property Division

JMJ:ph

Requested: 01-31-12

Revised: 09-28-12

HOA.881695.9

ORDINANCE NO. 2012-0047

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to establish a rural outdoor lighting district and regulate outdoor lighting in the district to promote and maintain dark skies at night for the residents and wildlife in the district. The ordinance also modifies the community standards districts located within the district to be consistent with this new dark skies ordinance.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.44.122 is hereby amended to read as follows:

22.44.122 Leona Valley Community Standards District.

. . .

C. Community-Wide Development Standards.

. . .

4. ~~Exterior~~Outdoor Lighting. ~~Public street lighting shall be prohibited except where necessary to comply with safety lighting standards as determined by the department of public works. Lighting on private parcels shall be designed to prevent off-site illumination. Hooding may be used to deflect light away from adjacent parcels and public areas.~~Outdoor lighting, including street lights, shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 2. Section 22.44.126 is hereby amended to read as follows:

22.44.126 Acton Community Standards District.

. . .

C. Community-Wide Development Standards. Except where a more specific application is prescribed, or prior to the approval of a new structure or addition to an existing structure where the cumulative area of all additions made after the adoption of this section adds at least 400 square feet to the footprint of either primary or accessory structures, a site plan shall be submitted to and approved by the ~~p~~Planning ~~d~~Director to assure compliance with the following development standards:

. . .

8. ~~Exterior~~Outdoor Lighting. ~~Exterior~~Outdoor lighting shall be ~~designed to minimize off-site illumination, within the requirements for public safety~~provided in accordance with the applicable provisions of Part 9 of Chapter 22.44. Where outdoor lights are required, light fixtures in keeping with the Western frontier architectural style will be required.

~~a. Exterior lighting on residential parcels shall be of top-shielded design to prevent direct off-site illumination; hoods shall be used to direct light away from adjacent parcels.~~

~~b. Exterior lighting on nonresidential parcels shall be prohibited except where necessary for the safety of pedestrian and vehicular traffic, as determined by the county. To minimize off-site illumination where lights are required, cut off fixtures in keeping with the Western frontier architectural style will be specified.~~

9. Street Improvements. Street improvements shall complement the rural character of the Acton community and street lights shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

~~a. In new subdivisions where lots exceed an area of 20,000 square feet, streetlights on local streets will be required only where necessary for the safety of pedestrian and vehicular traffic, as determined by the department of public works.~~

~~b~~a. All required local and highway streetlights shall utilize cut-off "Mission Bell" design fixtures, as specified by the local electric utility.

~~c~~b. Concrete sidewalks, curbs, and gutters will generally not be required on local streets. In all new land divisions, inverted shoulder cross-sections will be specified for local streets, unless an alternate design is necessary for public safety, as determined by the ~~d~~Department of ~~p~~Public ~~w~~Works. Curbs and gutters, or fencing with inverted shoulders, may be required where trail use is within the roadway easement.

. . .

APPENDIX FOR SECTION 22.44.126

ACTON COMMUNITY STANDARDS DISTRICT ARCHITECTURAL STYLE GUIDELINES

. . .

III. GUIDELINES

. . .

H. EXTERIOR FEATURES

"Finishing touches" to the Western village architectural theme must consider all the exterior features, both functional and decorative. Lights and lamp posts, railings, trash receptacles, benches, and hitching posts would all be common to Acton commercial areas and in plain view. Sections C.8 and C.9 of the Acton Community Standards District establish general requirements for ~~exterior~~outdoor lighting. Modern lighting techniques which do not interfere with the Western motif may be used~~; a good example is fluorescent lighting for walkways whose light fixtures are tucked under sidewalk coverings and not readily visible~~.

. . .

SECTION 3. Section 22.44.133 is hereby amended to read as follows:

22.44.133 Santa Monica Mountains North Area Community Standards District.

. . .

D. Community-wide Development Standards.

. . .

2. ~~Exterior~~Outdoor Lighting. ~~Exterior~~Outdoor lighting, including street lights, shall be ~~low intensity, directional and/or screened to prevent glare or direct off-site illumination. Street lighting shall be permitted only where required by the department of public works or Caltrans for public safety~~provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 4. Section 22.44.137 is hereby amended to read as follows:

22.44.137 Castaic Area Community Standards District.

. . .

D. Community-wide Development Standards.

. . .

2. Street improvements. In residential land divisions where at least 75 percent of the lots exceed a net area of 15,000 square feet, local streets shall comply with the following standards, as approved by the ~~c~~County ~~d~~Department of ~~p~~Public ~~w~~Works and the ~~c~~County ~~f~~Fire ~~d~~Department:

. . .

d. Regardless of lot size, street lights shall:

. . .

ii. ~~Be placed the maximum distance apart with the minimum lumens allowable by the county department of public works~~Be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

10. Lighting. ~~Exterior~~Outdoor lighting shall be ~~designed to prevent off-site illumination and glare upon adjacent~~ parcels, ~~public areas, environmentally sensitive areas, and the night sky~~provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 5. Section 22.44.140 is hereby amended to read as follows:

22.44.140 Juniper Hills Community Standards District.

. . .

E. Community-wide Development Standards.

. . .

3. Street Light~~ing~~s.

~~a. Street lights are prohibited on new streets constructed in conjunction with a land division.~~

~~b~~a. ~~The addition of street lights is prohibited on existing streets unless deemed necessary for the safety of pedestrian and vehicular traffic by the department of public works after consultation with adjacent property owners~~Street lights shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44. Where installed~~:~~,

~~i. S~~street lights shall be compatible in style and material with the poles on which they are mounted~~;~~.

~~ii. Street lights shall be placed the maximum distance apart with the minimum lumens allowable by the department of public works; and~~

~~iii. Street lights shall be designed to prevent off-street illumination and glare. Hooding and shields shall be used to deflect light away from adjacent parcels.~~

. . .

12. Lighting. ~~Exterior~~Outdoor lighting ~~to be installed in new development shall be designed to prevent off-site illumination and glare. Hooding and shields shall be used to deflect light away from adjacent parcels and public areas~~shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 6. Section 22.44.141 is hereby amended to read as follows:

22.44.141 Southeast Antelope Valley Community Standards District.

. . .

D. Community-wide Development Standards.

. . .

3. ~~Exterior~~Outdoor Lighting. ~~New exterior~~Outdoor lighting shall be ~~designed to minimize off-site illumination and glare by deflecting light away from adjacent parcels, public areas, and the night sky, using shields and hoods such that the lighting source is not visible outside the site~~provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

5. Street Lights. ~~To preserve the community character, the following shall apply:~~Street lights shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

~~a. Street lights shall be required only where necessary for the safety of pedestrian and vehicular traffic, as determined by the department of public works; and~~

~~b. Street lights shall be placed the maximum distance apart with the minimum lumens allowable by the department of public works~~.

. . .

SECTION 7. Section 22.44.143 is hereby amended to read as follows:

22.44.143 Elizabeth Lake and Lake Hughes Community Standards District.

. . .

D. Community-Wide Development Standards.

. . .

2. Street Light~~ings~~. ~~The addition of street lights is prohibited unless deemed necessary by the Department of Public Works~~Street lights shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44. Where installed~~:~~,

~~a. S~~street lights shall be compatible in style and material with the poles on which they are mounted~~;~~.

~~b. Street lights shall be placed the maximum distance apart with the minimum lumens allowable by the Department of Public Works;~~

~~c. Street lights shall be designed to prevent off-street illumination and glare. Fully shielded fixtures shall be used to deflect light away from adjacent parcels.~~

3. ~~Exterior~~Outdoor Lighting. ~~(Reserved)~~Outdoor lighting shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 8. Section 22.44.144 is hereby amended to read as follows:

22.44.144 San Francisquito Canyon Community Standards District.

. . .

D. Community-wide Development Standards.

. . .

2. Street Light~~ing~~s. ~~The addition of street lights is prohibited unless deemed necessary by the Department of Public Works~~Street lights shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44. Where installed~~:~~,

~~a. S~~street lights shall be compatible in style and material with the poles on which they are mounted~~;~~.

~~b. Street lights shall be placed the maximum distance apart with the minimum lumens allowable by the Department of Public Works; and~~

~~c. Street lights shall be designed to prevent off-street illumination and glare. Fully shielded fixtures shall be used to deflect light away from adjacent parcels~~.

3. ~~Exterior~~Outdoor Lighting. ~~(Reserved)~~Outdoor lighting shall be provided in accordance with the applicable provisions of Part 9 of Chapter 22.44.

. . .

SECTION 9. Part 9 of Chapter 22.44 is hereby added to read as follows:

PART 9 RURAL OUTDOOR LIGHTING DISTRICT

22.44.500 Purpose.

The rural outdoor lighting district is established as a supplemental district for the rural areas of the County to promote and maintain dark skies for the health and enjoyment of individuals and wildlife by:

A. Curtailing light pollution and preserving the nighttime environment.

B. Permitting reasonable uses of outdoor lighting for nighttime safety, security, productivity, and enjoyment, while protecting the natural environment from the adverse effects of excessive outdoor nighttime lighting from artificial sources.

C. Conserving energy and resources.

D. Minimizing adverse offsite impacts of outdoor lighting, such as light trespass.

22.44.510 Definitions.

A. Abandoned use. A use which has been discontinued and/or its structure has been abandoned and there is no indication that any use or occupancy of the structure will resume.

B. Accurate color rendition. The accurate representation of colors provided by an artificial light source.

C. Drop-down lens. A lens or diffuser that extends below a horizontal plane passing through the lowest point of the opaque portion of a light fixture.

D. Foot-candle. A unit of measurement that shows the quantity of light received on a surface. Foot-candles shall be measured by a photometer.

E. Fully shielded. A light fixture is fully shielded when it emits no light in the area above a horizontal plane passing through the lowest point of the light fixture and no more than 10 percent of its light in the area between zero and 10 degrees below the horizontal plane. A full-cutoff light (flat glass lens) fixture is a fully shielded light fixture of a specific design, usually with a box or oval shape and a flat bottom.

F. Light pollution. Any adverse effect of artificial lighting including glare, light trespass, obtrusive light, sky glow, or other lighting impacts on the nocturnal environment.

G. Light fixture. Light fixture is the structure used to produce an artificial light source, including all of its necessary auxiliary components. Examples of a light structure include a lamp, pole, post, ballast, reflector, lens, diffuser, shielding, bulb, and related electrical wiring.

H. Light trespass. The falling of light across a property line onto an adjoining lot or public right-of-way. The measurement of light trespass shall be determined by a photometer, taken at ground level from the subject property line. For purposes of this Part 9, an unacceptable level of light trespass shall be 0.5 (half) foot-candles or greater when the light trespass falls onto an adjoining public right-of-way or an adjoining residentially-zoned lot, open space zoned lot, or agriculturally-zoned lot, and 1.0 (one)

foot-candle or greater when the light trespass falls onto an adjoining lot with any other zoning classification.

I. Lumen (lm). A unit of light energy or the visual amount of light produced by a light fixture, calculated as a rating by the manufacturer (distinct from a watt, which measures power consumption). For example, a 40-watt incandescent lamp produces approximately 400 lumens, and a 35-watt, high-pressure sodium lamp produces 2,300 lumens.

J. Major addition. The cumulative addition of 25 percent or more of gross floor area, seating capacity, parking spaces, or number of dwelling units to any structure, building, or development; except in the coastal zone, where a cumulative addition of 10 percent or more of gross floor area, seating capacity, parking spaces, or number of dwelling units to any structures, buildings, or development shall constitute a major addition.

K. Outdoor lighting. Lighting equipment or light fixtures used to provide illumination for outdoor areas, objects, or activities, including light fixtures attached to buildings or structures. Self-supporting structures to provide lighting for parking lots, walkways, building entrances, outdoor sales areas, recreational fields, or within landscaped areas shall all constitute outdoor lighting.

L. Outdoor recreational activity area. An area designed for active outdoor recreation, whether publicly or privately owned, including, but not limited to, sports fields, race tracks, stadiums, and riding arenas. The accessory uses to these areas,

including parking lots and concessions stands, shall not be considered part of the involved outdoor recreational activity area.

M. Sky glow. The brightening of the nighttime sky resulting from outdoor light reflecting into or toward the sky, and combining with moisture and/or dust particles in the atmosphere to cause light pollution.

N. Street Lights. Pole-mounted light fixtures used to illuminate public or private rights-of-way and to enhance the safe movement of vehicular and pedestrian traffic.

22.44.520 Applicability.

A. General Applicability. The provisions of this Part 9 shall apply within the rural outdoor lighting district, as depicted on the map following this Part 9, to the following:

1. Outdoor lighting for new land uses, structures, buildings, and/or developments;

2. Outdoor lighting for all portions of any structure, building, or development following a major addition thereto;

3. New street lights; and/or

4. Abandoned uses that are resumed.

B. Applicability to Existing Outdoor Lighting and Replacement Lighting. Except as otherwise provided in this subsection B, outdoor lighting, including street lights, that were lawfully existing at the time this Part 9 became effective, may remain in their present condition without complying with Part 9.

1. Additions, upgrades, or replacements that are made to outdoor lighting, including street lights, that were lawfully existing at the time this Part 9 became effective, shall comply with the applicable provisions of Part 9, except that when less than 50 percent of the outdoor lighting fixtures on a property are replaced for a commercial, industrial, or mixed use, section 22.44.550.C shall not apply. For purposes of this provision, the term replacement shall include the replacement of outdoor lighting, including street lights, due to damage or destruction; and

2. Outdoor lighting, other than street lights, located on properties in a residential or agricultural zone that was lawfully existing at the time of this Part 9 became effective shall be removed or made to comply with Part 9 within six months after the effective date of Part 9 if such outdoor lighting causes light trespass, the determination of which shall be made by the Director of Regional Planning, and in all other cases, shall be removed or made to comply with the applicable provisions of Part 9 within three years after the effective date of Part 9.

3. Outdoor lighting, other than street lights, located on properties in a non-residential or non-agricultural zone that was lawfully existing at the time this Part 9 became effective shall be removed or made to comply with Part 9 within six months after the effective date of Part 9 if such outdoor lighting causes light trespass onto a property located in a residential, agriculture, or open space zone, or onto the improved portion of any public right-of-way, as such determination is made by the Director of Regional Planning.

22.44.530 Prohibited Outdoor Lighting.

Subject to subsection 22.44.520, the following types of outdoor lighting shall be prohibited within the rural outdoor lighting district:

A. Drop-down lenses.

B. Mercury vapor lights.

C. Ultraviolet lights.

D. Searchlights, laser lights, or other outdoor lighting that flashes, blinks, alternates, or moves.

22.44.540 General Development Standards.

In addition to complying with the applicable provisions of the Building and Electrical Codes of the County of Los Angeles, outdoor lighting within the rural outdoor lighting district, other than street lights, shall be subject to the following requirements:

A. Lighting allowance. For properties located in a residential, agricultural, open space, or watershed zone, outdoor light fixtures installed above 15 feet in height shall have a manufacturer's maximum output rating of no greater than 400 lumens.

B. Light trespass. Outdoor lighting shall cause no unacceptable light trespass.

C. Shielding. Outdoor lighting shall be fully shielded.

D. Maximum height.

1. The maximum height for an outdoor light fixture, as measured from the finished grade to the top of the fixture, shall be as follows:

a. 20 feet for a property located in a residential, agricultural, open space, or watershed zone;

b. 35 feet for a property located in an industrial zone; and

c. 30 feet for property located in any other zone.

2. Notwithstanding subsections a, b, and c of this subsection D, the height of any new outdoor light fixture used for an outdoor recreational activity area, regardless of the zone, shall be the minimum height necessary to illuminate the activity area, but in no event shall exceed 75 feet; and

3. Notwithstanding subsections D.1. and D.2. of this section 22.44.540, the Director of Regional Planning may permit an outdoor light fixture with a height higher than as otherwise permitted by these subsections through a site plan review, if the applicant demonstrates that a higher light fixture would reduce the total number of light fixtures needed at the involved site, and/or would reduce the light trespass of the outdoor lighting.

E. Maintenance. Outdoor lighting shall be maintained in good repair and function as designed, with shielding securely attached to the outdoor lighting.

22.44.550 Additional Standards for Commercial, Industrial, and Mixed Uses.

In addition to complying with the applicable provisions of section 22.44.540, outdoor lighting located on a property with a commercial, industrial, or mixed use shall be subject to the following requirements:

A. Building entrances. All building entrances shall have light fixtures providing light with an accurate color rendition so that persons entering or exiting the building can be easily recognized from the outside of the building.

B. Hours of operation.

1. Outdoor lighting shall be turned off between the hours of 10:00 p.m., and sunrise every day, unless the use on the involved property operates past 10:00 p.m., and then the outdoor lighting shall be turned off within one hour after the use's operation ends for the day. Notwithstanding the foregoing, if the use on the involved property requires outdoor lighting between 10:00 p.m., and sunrise every day for safety or security reasons, outdoor lighting shall be allowed during these hours, but only if:

a. Fully-shielded motion sensors are used to turn the outdoor lighting on after 10:00 p.m., and these sensors turn the outdoor lighting off automatically no more than 10 minutes after the involved area has been vacated; or

b. Where the use is commercial or industrial, at least 50 percent of the total lumen levels for the outdoor lighting are reduced, or 50 percent of the total number of outdoor light fixtures are turned off, between 10:00 p.m., and sunrise.

2. Exemption from hours of operation. Outdoor lighting shall be exempt from the hours of operation requirements of this subsection B if such lighting:

a. Is required by the County Building Code for steps, stairs, walkways, or points of ingress and egress to buildings; or

b. Is governed by a discretionary land use permit which specifically provides for different hours of operation.

C. Automatic controls. Outdoor lighting shall use automatic control devices or systems to turn the outdoor lighting off so as to comply with the applicable hours of operation requirements of subsection B.1. These devices or systems shall have backup capabilities so that, if power is interrupted, the schedule programmed into the device or system is maintained for at least seven days.

22.44.560 Additional Standards for Outdoor Recreational Activity Areas.

In addition to complying with the applicable requirements of section 22.44.540, outdoor light fixtures, when used to illuminate outdoor recreational activity areas, shall be mounted, aimed, and fully shielded so that their light beams fall onto said areas in such a way so as to prevent unacceptable light trespass onto surrounding areas or properties, and shall use high pressure sodium or metal halide lamps as their preferred lighting source.

22.44.570 Additional Standards for Signage.

In addition to complying with the applicable requirements of section 22.44.540, outdoor lighting for new signs, including outdoor advertising signs, business signs, and roof and freestanding signs, shall comply with the following:

1. The outdoor lighting shall be fully shielded;

2. When the signs use externally-mounted light fixtures, they shall be mounted to the top of the sign and shall be oriented downward; and

3. Externally-mounted bulbs or lighting tubes used for these signs shall not be visible from any portion of an adjoining property or public right-of-way unless such bulbs or tubes are filled with neon, argon, krypton, or other self-illuminating substance.

22.44.580 Street Light Standards.

So as to maintain the dark skies characteristics of the rural outdoor lighting district to the maximum extent possible, street lights in the district shall be prohibited except where necessary at urban cross sections with sidewalks, curbs, and gutters, or at intersections and driveways on County roads, where the Director of Public Works finds that street lights will alleviate traffic hazards, improve traffic flow, and/or promote safety and security of pedestrians and vehicles based on Public Works' highway safety lighting standards. Where street lights are installed in the district, they shall:

1. Be placed at the maximum distance apart, with the minimum lumens allowable pursuant to Public Works' highway safety lighting standards, as determined by the Director of Public Works;

2. Utilize full-cutoff (flat glass lens) luminaries so as to deflect light away from adjacent parcels; and

3. Be designed to prevent off-street illumination and glare.

22.44.590 Exemptions.

The following outdoor lighting shall be exempt from the provisions of this Part 9:

A. Outdoor lighting for a public facility operated by the Sheriff's Department, Probation Department, or similar department or entity, that keeps incarcerated persons, provided such lighting is needed for the security and/or operation of the facility.

B. Temporary outdoor lighting, which is outdoor lighting that does not persist beyond 60 consecutive days or more than 120 days per year.

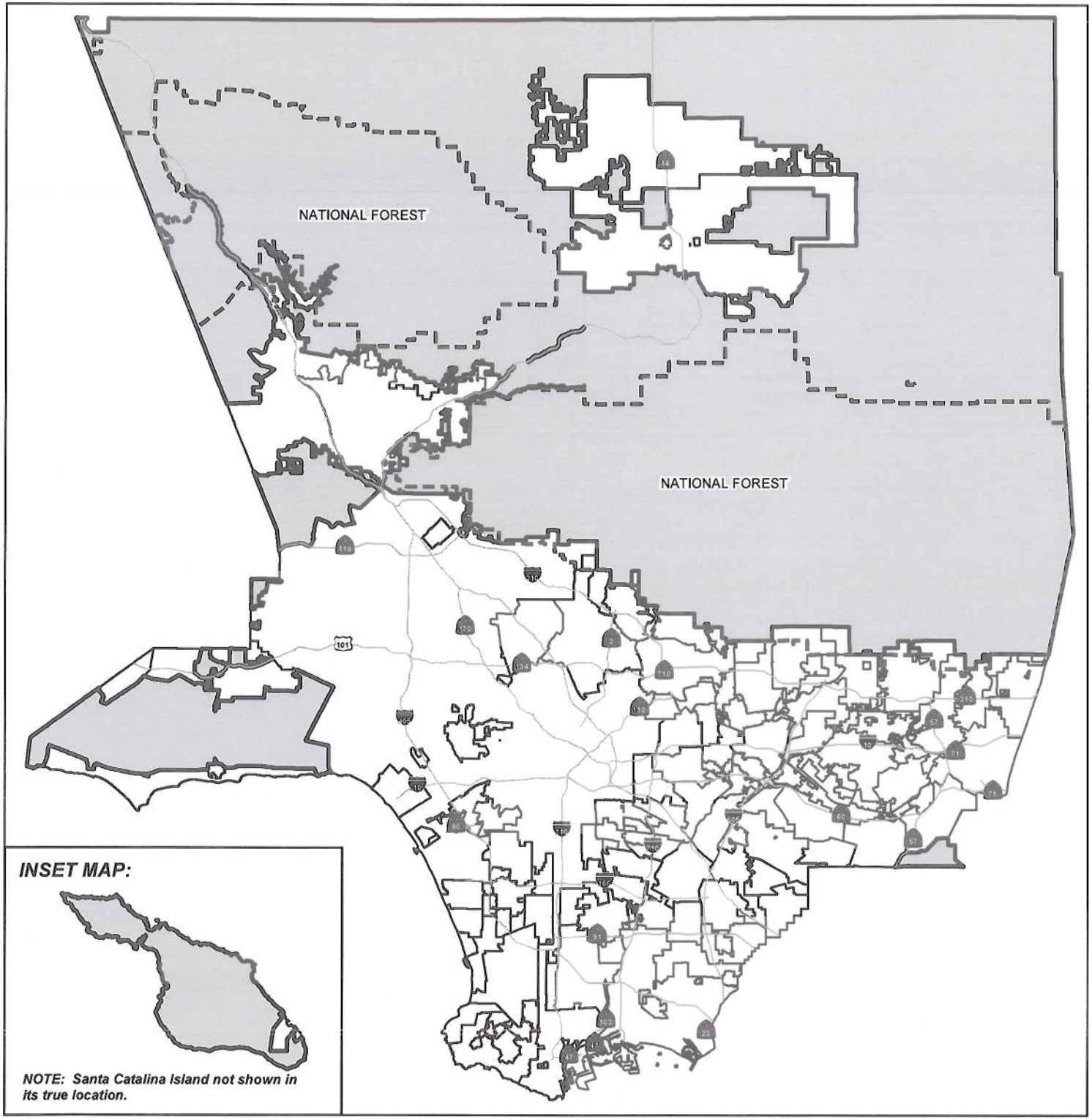
C. Outdoor lighting used in or around swimming pools or water features for safety purposes.

D. Outdoor lighting required for compliance with the federal Americans with Disabilities Act.

E. Outdoor lighting for industrial facilities and sites, including but not limited to, rail yards, maritime shipyards and docks, piers and marinas, chemical and petroleum processing plants, and aviation facilities, where such lighting is needed for safety reasons.

F. Outdoor lighting for outdoor theme parks, fairs, or carnivals.

[22522610ELCC]

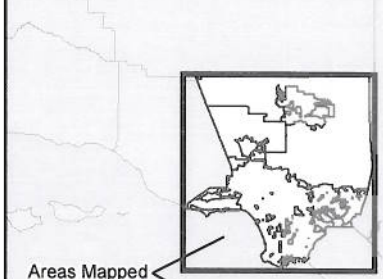


Boundary of the Rural Outdoor Lighting District

LEGEND:

- Rural Outdoor Lighting District
- City Boundary

VICINITY MAP:



INSET MAP:

NOTE: Santa Catalina Island not shown in its true location.

0 5 10 Miles

Los Angeles County
Dept. of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

SECTION 10. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Chairman

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of November 13, 2012 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Gloria Molina	Supervisors	None
	Mark Ridley-Thomas		
	Zev Yaroslavsky		
	Don Knabe		
	Michael D. Antonovich		

Effective Date: December 13, 2012

~~Operative Date:~~

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
JOHN F. KRATTLI
County Counsel

By _____
Richard D. Weiss
Chief Deputy County Counsel

S:\Ordinances\County Counsel\2012\2012-0047