

TOWN OF YUCCA VALLEY PLANNING COMMISSION MEETING



**The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.**

**PLANNING COMMISSION: 6:00 PM
TUESDAY, SEPTEMBER 8, 2026
Yucca Valley Community Center - Yucca Room
57090 Twentynine Palms Highway
Yucca Valley, CA 92284**

<https://zoom.us/j/98751436248?pwd=MRaTFMLgTeb4RA7qy7cbBnac0waPOF.1>
Meeting ID: 987 5143 6248 Passcode: 952440

*Use the above link to access the meeting virtually. Participants will be automatically muted upon entry. During the meeting, participants may "raise their hand" or notify the meeting moderator when they wish to make a public comment. Telephone participants may press *9 to raise their hand and *6 to unmute when called upon; additional instructions will be provided during the meeting as needed.*

Public comment is limited to three (3) minutes per speaker, or as otherwise directed by the Mayor/Chair.

In the event of technical difficulties resulting in a loss of connectivity or disruption to virtual streaming, pursuant to Government Code Section 54953.4 and SB 707, the Town will make a good faith effort to restore public access. No action will be taken on agenda items during the disruption. If access cannot be restored, the meeting will be recessed for at least one hour or until access is restored, in accordance with Government Code Section 54953.4.

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Planning Commission
Mathew Thomas, Chair
James Henderson, Vice Chair
Gerard Noonan, Commissioner
J Clint Stoker, Commissioner
Alejandro Vasconcelos, Commissioner

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**TOWN ADMINISTRATIVE OFFICE:
760-369-7207
Public Comments: townclerk@yucca-valley.org
www.yucca-valley.org**

AGENDA
MEETING OF THE PLANNING COMMISSION
TUESDAY, SEPTEMBER 8, 2026, 6:00 PM

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at (760) 369-7209 at least 48 hours prior to the meeting

The meeting agenda packet is available for public view in the Town Hall lobby and on the Town's website at www.yucca-valley.org prior to the meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at (760) 369-7209 ext. 226.

If you wish to comment on any agenda item or on any subject not on the agenda during public comments, please fill out a request to speak card and give to the Town Clerk/Commission Secretary. Comment time is limited to 3 minutes.

Where appropriate or deemed necessary, action may be taken on any item listed in the agenda.

OPENING CEREMONIES:

Call to Order

Roll Call

James Henderson, Gerard Noonan, J Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

Pledge of Allegiance

Approval of Agenda

1. Approve the meeting agenda for September 8, 2026, as prepared.

Recommendation:

Approve the meeting agenda for September 8, 2026, as prepared.

Consent Agenda

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Commission Secretary before the consent calendar is called.

2. Approve the meeting minutes for August 25, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for August 25, 2026, as prepared.

Department Reports

3. Outdoor Lighting Ordinance — 3rd Review and Discussion

Recommendation:

That the Planning Commission receives and files the report, and provides any input and direction to return the item to a future meeting with additional information or forward a recommendation to Town Council on the proposed amendment for consideration, including additional recommendations for annual policy review, lighting health report, and/or education and outreach campaigns, as desired.

4. Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Future Agenda Items

Public Comments

The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to 3 minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by State law from taking action or discussing items not on the printed agenda.

Staff Reports and Comments

Commissioner Reports and Comments

Vice Chair Henderson
Commissioner Noonan
Commissioner Stoker
Commissioner Vasconcelos
Chair Thomas

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, September 22, 2026, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Janet Yochmowitz, Administrative Assistant III

Date: August 25, 2026

Meeting Date: September 8, 2026

Subject: Approve the meeting minutes for August 25, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for August 25, 2026, as prepared.

Prior Review:

There has been no prior review of this item.

Discussion:

None.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. PC Meeting Minutes 7 28 2026 Signed - Final

**Town of Yucca Valley
Planning Commission Meeting Minutes
August 25, 2026**

Call to Order

Vice Chair Henderson called the meeting to order at 6:00 pm.

Roll Call

Present: James Henderson, Clint Stoker, Alejandro Vasconcelos

Absent: Gerard Noonan, Mathew Thomas

Pledge of Allegiance

Led by Vice Chair Henderson.

Approval of Agenda

Motion:

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Alejandro Vasconcelos

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

1. **Approve the meeting agenda for August 25, 2026, as prepared.**

Motion:

Approve the meeting agenda for August 25, 2026, as prepared.

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Alejandro Vasconcelos

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

Consent Agenda

Vice Chair Henderson stated all items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Commission Secretary before the consent calendar is called. Looks like we have two items on the consent agenda. Is there anyone in the public that would like to speak on the consent agenda items? Anybody online? Any commissioners have any issues?

2. Approve the meeting minutes for July 28, 2026, as prepared.

Motion:

That the Planning Commission approves the minutes for July 28, 2026, as prepared.

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner Alejandro Vasconcelos

Second: Commissioner Clint Stoker

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

3. Native Plant Permit (NPP) 061-26 @ 6060 Linda Lee Drive

Motion:

That the Planning Commission approves the application for NPP 061-26, to remove one (1) Mojave Yucca within the footprint of the concrete decking for a proposed pool located at a single-family residence, based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as contained within the staff report.

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner Alejandro Vasconcelos

Second: Commissioner Clint Stoker

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

Department Reports

Vice Chair Henderson stated moving on to department reports, item number four.

4. Outdoor Lighting Ordinance — 2nd Review and Discussion

Vice Chair Henderson asked could we get the report, please?

Associate Planner Willoughby stated thank you, Vice Chair Henderson and Commissioners. This is the Outdoor Lighting Ordinance Second Review and Discussion. The recommendation is that the Planning Commission receives and files the report and provides any input and direction to return the item to a future meeting. For background, previously at the meeting of July 28th, the Planning Commission provided direction and requested additional information on the following to be considered as part of the outdoor lighting ordinance update. Modernizing the ordinance to account for LED technology, balancing preservation of the night sky with safety and security, moving towards warmer lighting with a target of 3,000 kelvin maximum, ensuring standards are enforceable and implementable, and providing some regulation examples from other jurisdictions, particularly those that are nearby, such as City of Twentynine Palms. This is to just kinda establish what we're talking about. You can see what is light trespass to an adjoining residential, home as compared to, one that directs the light downward and away from the adjoining property.

For a little bit more technical discussion, the proposed language that we have drafted up for review incorporates some quantitative standards and submittal requirements that would provide staff with the tools needed to address outdoor lighting fixture compliance during plan check for new construction and where complaints are received that require timely code enforcement. Those additions are summarized here, including definitions for correlated color temperature, which is kelvins, uh, lumens, luminaires, lux, establishing a nighttime curfew definition, and a definition of non-essential lighting. Also, importantly is some measurable light trespass limits, which are to be defined as light trespass, limited to one lux, which is approximately 0.09 foot-candles at adjoining residential property lines and three lux, which is approximately 0.28 foot-candles at commercial/industrial property lines or public rights of way with measurements taken using a light meter at five feet above grade. So that aligns with our current implementation when it comes to discretionary commercial projects requiring a condition of approval for no more than 0.3 foot-candles at property line.

We've also added a 3,000 kelvin maximum color temperature that applies both to

residential and to commercial projects. Added a residential lumen limit of 1,000 lumens per luminaire, which is essentially the light fixture itself while also providing flexibility for motion-controlled lighting used for safety and security that would be exempted from that particular limitation. Establishing that motion detection automatic shutoff requirements after five minutes for lighting use for safety and security are required. And a nighttime curfew to extinguish or dim by 50% non-essential outdoor lighting, which includes things like landscaping or architectural lighting, for example, for both residences and businesses. And some additional alignment with applicable building and energy codes and requirement for new construction that there's application submittal requirements to document compliance with those standards, including compliance statement, for lighting schedule, and photometric plan when that is also determined necessary by the director.

This illustrates a little bit more of the relationship between lumens and lux where lumens are the amount of visible light emitted by the source and lux is the amount of light that falls on a surface measured in lumens per square meter. So this is a metric measurement. This also illustrates what 2,700 kelvin looks like, which is pretty close to our proposed standard of 3,000 kelvin as compared to 4,000 kelvin. You can really see the difference b--in warmth and coolness between those, those two. So the proposed amendment preserves the current structure to address non-conforming lighting fixtures and, and complaint-based enforcement procedures. The language of the ordinance states, "Existing outdoor lighting fixtures installed or constructed on developed properties which are nonconforming shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance. However, should it be determined that a nonconforming lighting fixture results in light trespass, the town may require the light to be either shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass." So that preserves staff's ability to address complaints while also addressing new construction.

The other jurisdictions that we reviewed have rather similar outdoor lighting ordinances but they may not incorporate all of these areas. But common themes include standards for fixture shielding, light trespass, light levels, glare, hours of operation and curfews for specific uses automatic controls, color temperature, prohibited lighting, submittal requirements, and special uses and exemptions. Notably, modern ordinances address things like lumens, lux or foot-candles, and the color temperature rather than wattage alone. And you will find some examples that do still rely on that wattage in the packet tonight. This is a specific table from Twentynine Palms, identifying the maximum and minimum illuminations for various categories of uses. So this is one way of doing it. You can put it in a table and really break down what that looks like, not just for residential, commercial, industrial

properties, but, specific things like the parking lot, pedestrian walkway, non-residential structure, and public buildings where that might apply.

Our standard that's proposed, for example, for adjoining residential property, is equivalent to that 0.09 foot-candle, maximum. Twentynine Palms is just slightly lower than us in that regard at 0.05 foot-candles. But we're still relatively close. The recommendation once again is that the Planning Commission receives and files a report and provides any input and direction to return the item to a future meeting. And staff is available to answer questions following public comment. Thank you.

Vice Chair Henderson stated, okay, thank you. At this time, we're gonna open up the Outdoor Lighting Ordinance Second Review for public comment. Anybody in the audience wishing to speak on this item? Anybody online? Uh, since there's only three of us, uh, I'll just open it up. Who would like to go first and make some comments?

Commissioner Vasconcelos stated, yeah. I like this report. I think--uh, I think the information y-you brought back is exactly what we were asking for. Um, I think it's, it's going in the right direction. Um, I had a question that says, "W-w-- so what outlines, not including lighting for safety and security, uh, for both residents and bul--and businesses?" So how is that determined o-- in regards to safety and security lighting where there-- uh, it's not being impacted by the curfews?

Associate Planner Willoughby stated so, that would include things, I think that were brought up in our prior meeting, such as those lighting fixtures that are installed to support security camera equipment. That may include things such as safety lighting around your residential driveway--or walkway to allow you to safely get from one point to the other on your property, and also see anybody who could be.

Commissioner Vasconcelos stated I-- my only fear on it is, like, people can interpret any lighting as se-security and safety. So I think it might be beneficial for us to determine and outline exactly what is accepted or whatever the qualifications are for that so that we don't get people coming back to us saying, "Well, this is for security and safety." Because I think anyone can make that argument for lighting.

Associate Planner stated yes, staff understands.

Commissioner Vasconcelos stated um, other than that, I, I like it. Um, I don't have any other comments at this time. Um, if I have anything else that sparks my mind after listening to these gentlemen, I'll, I'll chime in. Thank you.

Commissioner Stoker stated, yeah. Um, i-- my, my c-couple comments, I think, um,

1,000 lumens i-is your maximum for any residential Lumiere, is that--?

Associate Planner Willoughby stated that's, that's correct. And that's based on the recommended DarkSky Association Model Ordinance. Jurisdictions might choose different limitations, such as 2,000 in some cases or maybe 5,000. But that is kind of the recommended best, best practice that we presented.

Commissioner Stoker stated okay. Yeah. 'Cause I mean, even 1,000 lumens--like most, most can lights, if there's a can light on the outside of a house, those can lights you buy are like 600 lumens is what those maximums are. And, um, a, a 1,000 seems almost like a f--like a floodlight, like, for a s--for a security camera. Um, so I, I, I just wanted to--I, I, I don't want it to be too high to where i-it's just--we're not doing anything better than we currently have. Um, my other question, a-and it relates to, um, one of the comments you guys had on the presentation, which said, "Uh, existing outdoor lighting fixtures installed or constructed on developed properties which are non-conforming shall be allowed to--continued use except that it will not be structurally altered as to extend its useful life aside from regular maintenance." Th--that kinda sentence that we have there reminds me of the sentence we have in our sign ordinance, which I think is one of--i-it's a sentence I didn't like in that ordinance either because it kind of--we've gotten into this already where signs are kind of torn to pieces and put back together. And even though we determined that that was taking it apart beyond its useful--i-it just--it leaves it so open to where some of these lights are never gonna change. Um, so personally, I would like it in, uh, our commercial ordinance, um, to have something that--some sort of sunseting of what's existing in nonconforming, whether that's a year limit, if it's five years or something for places to come into conformance, that would be awesome. If we started to see, you know, shopping centers that ha--gives them time and we can send out informational mailers and things to property owners just to let them know like, "Hey, five years from now, this thing is gonna sunset and we want all the lighting into conformance."

Um, I--and I think that would be something nice 'cause, uh, uh, I, I think our sign ordinance, that was one of--I maybe--I don't wanna say failings, but one of the--something that should've been in our original sign ordinance. And we wouldn't be looking at so many signs that are still out of conformance and it's been 15 years or whatever since that last version. Um, so I don't know if that's something that you guys had looked at.

Associate Planner Willoughby stated that is a provision that you can find in jurisdictions' ordinances. It's essentially an organization period. Um, Twentynine Palms, for example, set theirs at one year from the date of the ordinance being

adopted. County set theirs at 18 months. So it is--it is an approach that we could consider.

Commissioner Stoker stated um, and those are my two real one--big ones. I, I think it's great. The work that's gone on so far. I like the updated definitions. Um, a lot of those are in kind of lockstep with what new--um, kind of new technology. So I, I, I like all of those things.

Great, thank you.

Vice Chair Henderson stated um, just had, uh, one comment-- and, and my screen goes off, right? One second-- on the exemptions, um, on item E, um, in regards to emergency lighting and fixtures necessary. And it's talking about emergency equipment type stuff. And I was thinking that when we look at this, that-- uh, a location like a fire station, they might need very bright lights if they're coming back from a-- uh, a call for service at night so they can inspect their rig outside, etc. Um, if that's not in there, maybe that's something we can look at. Um, I know, like, the sheriff's deputies have a location over here nearby, but it's a little more remote as opposed to a station that might be more, um, in the middle of town. But that was just one thing on what you presented. And I wanted to share one idea with my fellow commissioners. And I agree, Commissioner Stoker, that, uh, we'll probably have to come back. We'd like to get additional feedback from the other commissioners. But I thought of something that I know that the, the town council, when they brought this to us, there was a spirit here, and that is trying to get us into compliance with all the latest technology. But also, since I've lived here, and I know you guys have lived here probably your whole lives as well, um, that there's always a, a community concern about light pollution. There has always been those complaints.

And as we developed this code, and I'd love staff's opinion on this as well, that-- um, um, that--I think that we wanna come from this as more of a pioneer, more of a partner with the community and educating them. But also, I was thinking of building in that there should be an annual lighting health report that's presented in front of the commission every year, similar to short-term vacation rentals. And they could also be presented to the town council. And I thought of some metrics where, um, you know, planning staff could give us an overall grade as a town, how we're doing in regards to this. And some of the metrics I was thinking about was you could certainly have quantitative or, like, maybe the number and type of lighting-related complaints received and resolved, um, how many plans have been reviewed and conditioned for compliance, um, any measured or observed trends in light trespassing data, um, and then also, the town could share with us success stories from this code. 'Cause

sometimes we build these codes, but we don't really get the feedback on how they're doing, um, ki-- uh, related to enforcement. And then also, because technology changes rapidly, um, with something like this, the annual report could come back to us and maybe share with us some of the latest, uh, technology that's going on. So we might have to tweak this code. That way it'd stay updated.

But I don't wanna create extra work for staff. But I think sometimes when we build these codes--and you see this, especially right now with controversial issues in communities. Communities or, or towns and government that partner with the community a-and are transparent at what's going on, I think, um, are in a much better place and more successful. So what do you guys think about having an annual lighting report that comes back and kinda that staff can grade how we're doing based on these type of metrics?

Commissioner Vasconcelos stated, I like it. I think even you, can--you could even request a report from like Mount Palomar to see how much the--uh, uh, the lighting has been affected for the community over the year, annually like, "Okay, here--" 'Cause people are always saying, "You know, the dark skies," whatever. But if there's an actual physical number that like, "Hey, has it been impacted by--"you know? "This percentage has go--it's grown a little bit brighter," or it hasn't ha-had any fluctuation or anything, that I feel like that's a--that's a value that the community as a whole would be like, "Oh." 'Cause you get people saying, "Uh, you just can't see the sky anymore." But if you have facts of the report saying, uh, you know, nothing really has changed or it's changed so minutely that it is looking the same or it has changed a lot, there's something to, you know, have a discussion about with the report. You know?

Vice Chair Henderson stated, yeah. And I think it, it kinda shows that we really take it serious, that light pollution is important to us. And, and, you know, from that education standpoint-- um, and again, we can tweak the code annually if, if need be. What do you think, Commissioner Stoker?

Commissioner Stoker stated no, I, I, I, I agree with you that it'd be nice to know how we're doing. It's always nice to get updates, you know, uh, um, when we approve things. Um, I don't have a problem with that. It'd be interesting to hear what--uh, what Matt and--uh, and Jerry--um, how they feel when they're back. That would be nice to have all of us kind of in lockstep on that if something we'd like to do.

Vice Chair Henderson stated, I agree.

Commissioner Stoker stated, yep. Um, just looking through, uh, other exemptions. So

do all of the exemptions apply to residential and commercial?

Associate Planner Willoughby stated yes.

Commissioner Stoker stated okay. So yeah, that-- I think exemption number C, uh, Commissioner Henderson, would, would address your--would you--address your want regarding fire stations. Um, e-e-exemption number B is the one I was kind of looking at where I don't know that, uh, is neon signs--would it ever be appropriate in someone's home? I mean, I, I know what the intent is. It's, it's intended for like restaurants and bars and those kinds of places where you'd see neon.

Associate Planner Willoughby stated so your sign code generally doesn't allow residences to have, um, signage outside of address signage. So it wouldn't be anticipated that residents would have a neon sign to answer your question.

Commissioner Stoker stated okay. Say--I don't--I, I might look at that just as maybe it just--all neon, neon lighting fixtures in a commercial sense because I, I feel like even looking on Amazon, you can buy, like, really cool, like, neon whatever you're into and put it in your front window. I just wouldn't want someone to look at the exemptions and try to use those as a reason to have whatever they want approved. Um, 'cause maybe it might not be a sign, but it's still, like, a picture or some sort of thing. Um, the other thing that I was looking at was, uh, new item F, which is Holiday Lighting Fixture Displays. And I'd--and looking at--I looked at some other jurisdictions' ordinances. A lot of those have like times of year that that's allowed, so that way a holiday lighting display doesn't go past Christmas, and it's still--you know, you still have those lights running in the middle of July—and I don't know if that's a thing. Um, is it a thing?

I'm sure people-- yeah. You don't see [crosstalk]--Yeah. I mean, some people just don't--[crosstalk] July. --well, some people just don't leave them down. You know-- They just leave them up all year. --just don't ever-- don't ever take them down and they're still running. So I, I just don't know if there's-- uh, if there's timing for those, those outdoor displays 'cause I'm just trying to think of what other--people might be upset about their n-- with their neighbor about. And it'd be nice to have more things organized in a w-- in a fashion to where at least it's, it's here.

Vice Chair Henderson stated that's a really good point. And then also, I see w-- I see what you're saying on item number C. I think I focus in on D&E more. So yeah, that should be covered under C, so thank you.

Vice Chair Henderson stated um, any other comments on this item? No. Okay. I'll go

ahead and, uh, I'll make a motion that we receive and file, um, and then we just bring it back to a future meeting with the other commissioners.

Motion:

That the Planning Commission receives and files the report, and provides any input and direction to return the item to a future meeting with additional information or forward a recommendation to Town Council on the proposed amendment for consideration.

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

5. Land Development Update

Vice Chair Henderson stated moving on to item number five, Land Development Update.

Senior Planner Jerome stated this will be a pretty brief update. I'm just kinda letting you know what's very close to coming into, uh, Planning Commission. Uh, we expect to deem Yucca Valley Materials Lab complete very soon and they've been making corrections as they've been going through the completeness process. So, um, that should be available for planning commission review, uh, shortly. Same with the C&S, uh, Rotisserie Chicken bar, um, that has several rounds of review and they're very, very close to being complete right now. Uh, Tumbleweed Sanctuary is in the final one to two weeks of their CEQA review process. Um, it's at the point where they're just, uh, having legal review, uh, which is basically the last step before it can be published for the public review. Um, following those three, the Windmill Wireless facility is about to kick off their CEQA process. Um, so that will likely be coming to the commission somewhere between four and six months, um, from today.

And then the last one that's a little bit more of a wild card, but we anticipate it being, um, complete in the fall sometime is the Joshua Tree Distilling Company. Um, they have a conditional use permit and also a development code amendment. Um, they're in general commercial zoning, uh, which does not currently allow for any manufacturing processes. Um, so they're proposing to amend, uh, that portion of the development code to potentially allow, um, some type of manufacturing, which has

not yet been fully determined, um, but to potentially allow that sort of, uh, operation where, you know, they're storing and bottling and manufacturing, uh, you know, higher grade alcohol in, uh, a commercial zoning district. So those five projects, um, are the ones that we'd foresee coming, uh, most imminently to the Planning Commission.

Vice Chair Henderson stated okay. Thank you all. Um, I'll just open up to public comment. Anybody wishing to speak on any of the land development updates? Anybody online? Moving over to commissioners if they have any comments? No? Okay. We'll go ahead and close that out.

Motion:

That the Planning Commission receives and files the report.

Result: Passed (Yes 3, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Alejandro Vasconcelos

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos

Future Agenda Items

Vice Chair Henderson stated we'll move to future agenda items.

Senior Planner Jerome stated, um, those five items and then, uh, our general plan update is also getting, uh, very close to completion. So, uh, those five for the commercial, uh, projects and then our open space and conservation and safety elements, uh, should be wrapping up soon as well.

Commissioner Stoker stated and, and I, I know our general plan is a big one, and same with the lighting ordinance we're focusing on now. Is, is that something--after reading that and where I was kinda got my brain wrapping around our sign ordinance, is that something we could plan as a commission on working on for the future? Is that something that's been on your radar already or something we could--? The sign ordinance?

Senior Planner Jerome asked the sign ordinance?

Commissioner Stoker stated yeah. Uh, it can be--I know it's always the least favorite thing of all, according to Shane. I thought-- I thought it was--

Vice Chair Henderson stated our, our chairman's favorite. --landscaping.

Commissioner Stoker stated um, I thought-- landscaping is the hardest one? I don't know. One of the hardest ones. It's the--

Oh yeah.

Deputy Town Manager Stueckle stated so it's something you could send up to the council for consideration if you wanted, wanted to ask them where that sits in the priority listing.

Commissioner Stoker stated okay.

Deputy Town Manager Stueckle stated and then final thing is about sign codes. Sign codes are never finished because the minute you adopt a new ordinance, you will have somebody that wants to make a change to it. So sign ordinances are never finished. They're a constantly revolving circle. Um, it's one of those things where, um, not everyone is happy all the time.

Commissioner Stoker stated well, I mean, I'm okay with most of the ordinance. The only thing that b-bothered me is that same sentence where we talk about, "As long as you can keep it mit-- you know, up to date, then it's good forever." And it'd be nice to sunset. So I don't know if that's something we could just modify a line or tweak something with an amendment to remove that or add some sort of a sunsetting?

Deputy Town Manager Stueckle stated you can always-- you can always try and limit, um, the amount of amendments, but once you open up the signed ordinance for discussion, you typically get--

Commissioner Stoker stated a lot of--huge--discussion.

Deputy Town Manager Stueckle stated--number of requests for different changes.

Commissioner Stoker stated Okay.

Vice Chair Henderson stated okay. Thank you Shane.

Public Comments

Vice Chair Henderson stated uh, moving on to public comments. The Planning Commission takes this time to consider your comments on items of concern, which are not on the agenda.

When you are called to speak, please state your name and community of residents. Please limit your comments to three minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by state law from taking action or discussing items not on the printed agenda. Anybody in the audience wishing to speak? Uh, anybody online? Seeing there's none, we'll go ahead and close that.

Staff Reports and Comments

Vice Chair Henderson stated move on to staff reports and comments.

Senior Planner Jerome stated no additional reports or comments.

Commissioner Reports and Comments

Vice Chair Henderson stated we'll move on to commissioner reports and comments. Starting on my far right, Commissioner Vasconcelos.

Commissioner Vasconcelos stated um, I--no, I don't have anything at this time. I just wanna thank, uh, staff for another really informative meeting. And, you know, hopefully, the next time we get this put in front of us, we'll have our, our whole, uh, commission here to discuss, uh, and review and maybe, uh, get some finalization on some of this to send up. So thank you.

Vice Chair Henderson stated Commissioner Stoker.

Commissioner Stoker stated, um, much the same. Uh, thank you to staff. And, uh, yeah, it's-- it'll be--it'll be good to get w--one more ordinance kinda behind us. So, uh, that's, that's, uh, something we're looking forward to. And on a side note, if you've n--haven't driven by Brehm Field lately, it is so green. It's beyond green. Like, they re-over seeded the grass and it is fluffy and green. It's really good. So, um, thanks to, you know, the, uh, public works and recreation staff who are working together to get all that stuff, um, you know, up to--up to snuff. It looks really good.

Vice Chair Henderson stated awesome. Thank you. And yeah, I'll just echo a great meeting. Great preparation. And it's an important topic. The lighting ordinance is an important topic, uh, for the community. It's one of those right up there, in my opinion, with Joshua trees and, um, water, everything. So thank you for the good job, and we look forward to our other commissioners providing their comments. Um, just one thing, uh, I can't make it, but on--uh, is it Tuesday, September 1st? Are we having, uh, re--or a grand opening for the athletics or

recreation section on Tuesday?

It's private [crosstalk].

No.

Vice Chair Henderson asked it's private?

No, it's like the one for the town.

Yeah.

Senior Planner Jerome stated Alex says Tuesday at 5:00.

Vice Chair Henderson asked, Tuesday at 5:00? All right. Thank you.

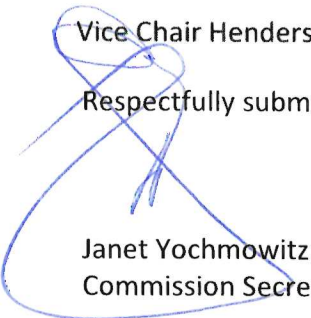
Announcements

Vice Chair Henderson stated moving on to announcements. Upcoming meeting schedule, the next regular meeting in the Yucca Valley Planning Commission will be held on Tuesday, September 8, 2026, at 6:00 PM in the Yucca Valley Community Center.

Adjournment

Vice Chair Henderson adjourned the meeting at 6:32 PM.

Respectfully submitted,



Janet Yochmowitz
Commission Secretary

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Associate Planner

Date: August 31, 2026

Meeting Date: September 8, 2026

Subject: Outdoor Lighting Ordinance — 3rd Review and Discussion

Recommendation:

That the Planning Commission receives and files the report, and provides any input and direction to return the item to a future meeting with additional information or forward a recommendation to Town Council on the proposed amendment for consideration, including additional recommendations for annual policy review, lighting health report, and/or education and outreach campaigns, as desired.

Prior Review:

The Planning Commission previously reviewed this matter at their meeting of July 28, 2026 and August 25, 2026.

Discussion:

At the meeting of July 28, 2026, the Planning Commission provided direction and requested additional information on the following to be considered as part of the Outdoor Lighting ordinance update:

- Modernize the ordinance to account for LED technology.
- Balance preservation of the night sky with safety and security.
- Move towards warmer lighting, with a target of 3000K maximum.
- Ensure standards are enforceable and implementable.
- Provide regulation examples from other jurisdictions.

At the meeting of August 25, 2026, the Planning Commission provided additional direction on the following topics within the draft language of the ordinance:

- Clarify what qualifies as lighting for safety and security.
- Lower proposed 1000 lumen maximum on residential luminaires.
- Provide stronger provisions to address nonconforming lighting, including consideration

of an amortization period for nonconforming commercial or industrial lighting (e.g. 5 years from date of adoption).

- Amend language for exemptions for internally illuminated signage and neon outdoor lighting fixtures to clarify exemption applicability to commercial and industrial zoning districts, and to provide a maximum time period for exempt holiday light fixture displays.

At the meeting of August 25, 2026, the Planning Commission recommended the following for consideration as additional steps outside the structure of the ordinance to enhance implementation:

- Annual policy review and a lighting health report providing quantitative metrics to measure effectiveness across various quantitative and qualitative categories that may be used to inform potential recommendations for additional changes or modifications to the ordinance.
- Education and outreach campaign to inform property owners and the public about lighting requirements, compliance timelines, and dark-sky best practices (e.g., informational mailers).

The proposed amendment substantially preserves the current structure of the Town's current lighting ordinance while incorporating quantitative standards and submittal requirements that provide staff with the tools needed to address outdoor lighting fixture compliance. The additions to the ordinance are summarized below.

- Definitions for correlated color temperature (CCT), lumens, luminaires, lux, nighttime curfew, and non-essential lighting
- Measurable light-trespass limits. Light trespass is limited to 1 lux at adjoining residential property lines and 3 lux at commercial/industrial property lines or public rights-of-way, with measurements taken using a light meter at five feet above grade.
- 3000K maximum color temperature.
- Residential lumen limit of 750 lumens per luminaire.
- Nighttime curfew to extinguish or dim by 50 percent non-essential outdoor lighting.
- Alignment with applicable building and/or energy codes.
- For new construction, application submittal requirements to document compliance with standards, including a compliance statement, lighting schedule and photometric plan when determined necessary by the Director.
- Nonconforming residential outdoor lighting fixtures shall be allowed continued use until such time that a Town approval or permit (e.g. Temporary Short-Term Vacation Rental Permit) is sought that requires compliance with this Chapter. Notwithstanding the above, replacement of fixtures, regardless of applicability of Town approvals or permits, shall comply with the requirements of this Chapter.
- Nonconforming commercial and industrial outdoor lighting fixtures are subject to a five (5) year amortization and compliance period from the adoption of the ordinance. Notwithstanding that, the Town may still address complaints where light trespass is

verified and may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

- Exemptions for neon outdoor lighting fixtures and internally illuminated signs are applicable to commercial or industrial land use districts.
- Exempt holiday light fixture displays are limited to an aggregate period not exceeding sixty (60) days within any one (1) calendar year.
- Exempt lighting for safety and security, which includes outdoor lighting specifically designed and operated to provide illumination necessary for safe pedestrian or vehicular circulation, identification of hazards or obstructions, protection of persons or property, detection of unauthorized activity, or the effective operation of security or surveillance systems, and does not include outdoor lighting that is primarily intended for architectural, landscape, decorative, advertising, general area, or convenience, provided that:
 - The area or task requiring illumination is specifically identified, such as a building entrance or exit, pedestrian walkway, stairway, driveway, parking area, loading area, equipment area, or property access point
 - Luminaires are shielded and directed so that illumination is confined to the area reasonably necessary for the safety or security function
 - Lighting that is not required to operate continuously by an applicable building, fire, or other law is controlled (i.e., turned on and off) by motion detection and automatically returns to prior state no greater than five (5) minutes after activity is no longer detected.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. Ordinance No. XXX - Outdoor Lighting - PC 9.8.26
2. PC Meeting Minutes 8-25-26 Outdoor Lighting
3. PC Minutes - 7-28-26 - Outdoor Lighting
4. Yucca Valley Outdoor Lighting Ordinance
5. DarkSky Association Model Ordinance
6. Outdoor Lighting - City of Twentynine Palms
7. Outdoor Lighting - City of Upland
8. Outdoor Lighting - City of Rancho Cucamonga
9. Outdoor Lighting - City of Riverside

10. Outdoor Lighting - City of Palm Desert
11. Outdoor Lighting - City of La Quinta
12. Outdoor Lighting - City of Desert Hot Springs
13. Outdoor Lighting - City of Indian Wells
14. Outdoor Lighting - City of Moreno Valley

ORDINANCE NO. XXX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING CHAPTER 8.70 OUTDOOR LIGHTING OF THE YUCCA VALLEY MUNICIPAL CODE TO UPDATE AND MODERNIZE STANDARDS FOR OUTDOOR LIGHTING AND IMPLEMENTATION

SECTION 1: The Yucca Valley Municipal Code is amended to read as follows.

8.70.010: PURPOSE AND INTENT:

It is the purpose and intent of this Chapter to establish regulations and standards which will assist in substantially reducing light pollution which can be generated from commercial and residential lighting fixtures and devices; to minimize light pollution which has a detrimental effect on the environment and the enjoyment of the night sky, to reduce and minimize lighting practices which cause unnecessary illumination of adjacent properties, ~~and to implement the Yucca Valley General Plan, Community Design Element, Policy 12, Program 12.A and Program 12.B. (Ord. 90, 3-19-1998)~~

8.70.020: DEFINITIONS:

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. Words used in the present tense include the future, words in the plural number include the singular number, and the words in the singular number include the plural number. Words not defined shall be given their common and ordinary meaning.

ARCHITECTURAL LIGHTING: Lighting which is either directed towards a residence with the intent of highlighting an architectural feature or a light fixture which is architecturally ornamental in nature or purpose.

ATTACHED LIGHTING: A light fixture that is attached to a building.

CORRELATED COLOR TEMPERATURE (CCT): The measured color appearance of white light using units of kelvin (K). Lower CCTs (1800 K to 2200 K) appear very warm or amber. Medium CCTs (2700 K to 3000 K) appear warm white, similar to standard incandescent bulbs. High CCTs (4000 K and higher) appear cool white or daylight blue.

Amber	Candle	HPS	Warm White	Neutral White	Cool White	Daylight	Blue-Rich
Non-White	1800K	2200K	2700K	3000K	4000K	5000K	6500K

FIXTURE: The assembly that holds the lamp and may include an assembly housing, a mounting bracket or pole socket, lamp holder, ballast, a reflector or mirror and a refractor or lens.

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FREESTANDING LIGHTING: A light fixture which is not attached to a building.

FULLY SHIELDED: Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property.

LIGHT TRESPASS: Nuisance glare from any lighting onto neighboring property that interferes with viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures. Illumination limits are measured vertically 1.5 meters (5ft) above grade with the meter aimed toward the light source in question, measured at any location along a property line. Quantitative measurement of light trespass shall be with a standard yard stick (3 feet x 1 1/2 inches). The yard stick shall be placed at the building setback line in the complainant's yard. The yard stick shall be in contact with the ground and in a vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yard stick and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky. Light Trespass onto property shall not exceed one (1) Lux when measured at the property line of adjoining residential property, or three (3) Lux when measured at the property line of adjoining commercial or industrial property or public right-of-way.

LUMEN (lm): A unit of measure for the luminous flux of a light source.

LUMINAIRE: A complete lighting unit, including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination.

LUX (lx): The SI metric system unit of measure for illuminance.

NEW CONSTRUCTION: New lighting fixtures and/or new building(s) with outdoor lighting.

NIGHTTIME CURFEW: The time between 10 PM and sunrise, or 6 AM (whichever comes earlier). For businesses and events with operating hours later than 10 PM, curfew hours will begin one hour after closing.

NIGHT SKY: A clear sky, with visible stars, despite necessary or desired illumination of private and public property.

NON-ESSENTIAL: Lighting that is not directly associated with safety and security.

PEDESTRIAN LIGHTING: Freestanding lighting fixtures not exceeding a height of thirty six inches (36") from ground grade level. ~~(Ord. 90, 3-19-1998)~~

8.70.030: OUTDOOR LIGHTING FIXTURES:

A. Single-Family And Multi-Family Residential Land Use Districts: The following standards are applicable to all structures located within single-family and multi-family residential land use districts as identified on the Official Yucca Valley Zoning District Map:

1. Existing Structures Located In Single-Family And Multi-Family Residential Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any residential land use district, as identified on the Official Yucca Valley Zoning Map, and which properties are used for residential purposes which are nonconforming, shall be allowed continued use until such time that a Town approval or permit is sought that requires compliance with this Chapter. Notwithstanding the above, replacement of fixtures, regardless of applicability of Town approvals or permits, shall comply with the requirements of this Chapter, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Notwithstanding the above, should ~~Should~~ it be determined that a nonconforming lighting fixture results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

2. New Construction And New Lighting In Single-Family And Multi-Family Residential Land Use Districts: Any new construction and or new lighting located in any residential land use district, as identified on the Yucca Valley Zoning Map and which properties are used for residential purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or right of way. Additional standards apply, as specified below.

a. No Luminaire shall exceed 750 lumens of total output.

b. When applicable, outdoor lighting shall dim or be extinguished as prescribed by the adopted energy code.

c. Non-essential outdoor lighting, including but not limited to landscape features and decorative lighting elements, shall be extinguished or dimmed by at least 50 percent according to Nighttime Curfew.

d. The maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

B. Commercial And Industrial Land Use Districts: The following standards are applicable to all structures located within commercial and industrial land use districts as identified on the official Yucca Valley Zoning District Map:

1. Existing Structures Located In Commercial And Industrial Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for any commercial or industrial purpose, which are nonconforming shall be brought into compliance within five (5) years of the adoption date of this Chapter, be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Notwithstanding the five (5) year amortization and compliance period from the adoption of this Chapter, should ~~Should~~ it be determined that a nonconforming lighting fixture

results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

(1) In those cases where light trespass exists and has been determined to be a nuisance, the Community Development Director may grant additional time for the property owner to remedy the light trespass where a hardship exists and the following findings can be made. Hardship shall mean that there is a degree of difficulty in accessibility to the fixture, financial difficulty or cost of correcting the light trespass, degree of light trespass or other similar issues.

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood.

(B) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

c. Fifty percent (50%) of all nonconforming lighting fixtures within parking lots or within open lot sale areas shall be turned off within one hour after closing or between the hours of eleven o'clock (11:00) P.M. and sunrise, whichever occurs first.

(1) In those cases where turning off fifty percent (50%) of the nonconforming lighting fixtures would constitute a hardship, the Director may grant an administrative exemption based on the following findings:

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood;

(B) The strict application of this Chapter would deprive the applicant reasonable use of the land, buildings or outdoor fixtures;

(C) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

2. New Construction And New Lighting In Commercial And Industrial Land Use Districts: Any new construction located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for commercial and industrial purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or rights of way. Additional standards apply, as specified below.

a. When applicable, outdoor lighting shall dim or be extinguished as prescribed by the adopted energy code.

b. Non-essential outdoor lighting, including but not limited to landscape features and decorative lighting elements, shall be extinguished or dimmed by at least 50 percent according to Nighttime Curfew.

c. The maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

C. Recreation Facilities, Public And Private: The following standards are applicable to all structures:

1. There shall be no illumination of private recreational facilities between the hours of eleven o'clock (11:00) P.M. and sunrise.

2. There shall be no illumination of public recreational facilities unless the facilities are being utilized. The illumination must be turned off no later than eleven o'clock (11:00) P.M. or one hour after the termination of the event and/or use, whichever occurs first.

D. Off-Site Signs (Billboards) And Exterior Illuminated On-Site Signs: Lighting fixtures used to illuminate any new off-site sign and exterior illuminated on-site signs shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this Chapter. (Ord. 90, 3-19-1998)

8.70.040: EXEMPTIONS:

The following outdoor lighting fixtures are exempt from the requirements of this Chapter:

A. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.

B. All neon outdoor lighting fixtures, existing or proposed, installed or constructed on developed properties located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for any commercial or industrial purpose.

C. All outdoor lighting fixtures on facilities or lands owned, operated or controlled, by the United States Government, State of California, County of San Bernardino, Morongo Unified School District, Southern California Edison or any other public entity or public agency, not including the Town of Yucca Valley. Voluntary compliance at those facilities is encouraged.

D. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.

E. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situations.

F. ~~Provided there is no light trespass, or the lighting fixtures are regulated by motion detector,~~

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~~lighting fixtures within five feet (5') of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet (8') and a wattage exceeding 75 watts.~~

~~—G. Internally illuminated signs.~~

~~—H. Holiday lighting fixture displays, displayed for an aggregate period not exceeding sixty (60) days in any one (1) calendar year~~

~~G. Internally illuminated signs, existing or proposed, installed or constructed on developed properties located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for any commercial or industrial purpose~~

~~H. Vertical lighting for a properly displayed U.S. flag, installed in a way that is well targeted and restricts illumination to only the flag itself and minimizes spill light onto other surfaces or trees.~~

~~I. Lighting for safety and security, which includes outdoor lighting specifically designed and operated to provide illumination necessary for safe pedestrian or vehicular circulation, identification of hazards or obstructions, protection of persons or property, detection of unauthorized activity, or the effective operation of security or surveillance systems, and does not include outdoor lighting that is primarily intended for architectural, landscape, decorative, advertising, general area, or convenience, provided that:~~

- ~~• The area or task requiring illumination is specifically identified, such as a building entrance or exit, pedestrian walkway, stairway, driveway, parking area, loading area, equipment area, or property access point~~
- ~~• Luminaires are shielded and directed so that illumination is confined to the area reasonably necessary for the safety or security function~~
- ~~• Lighting that is not required to operate continuously by an applicable building, fire, or other law is controlled (i.e., turned on and off) by motion detection and automatically returns to prior state no greater than five (5) minutes after activity is no longer detected.~~

~~—I. Architectural lighting whether it is freestanding or attached to a building which does not exceed an intensity of 40 watts.~~

~~—J. Pedestrian lighting which does not have an intensity greater than 40 watts.~~

~~—K. Vertical lighting for a properly displayed U.S. flag which does not exceed an intensity of 140 watts. (Ord. 90, 3-19-1998)~~

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8.70.050: ADMINISTRATION AND ENFORCEMENT:

A. The Director of the Community Development Department, or his designee, shall administer and enforce the provisions of this Chapter. Any person who wishes to appeal any order, decision, or determination made by the Director shall do so in accordance with this Code.

B. All existing exterior lighting fixtures, poles or sources shall comply with the requirements for permits as specified in the Title 24 California Building Code Uniform Building Code and/or the National Electrical Code.

C. From time to time, the Community Development Director may recommend, and the Town Council may adopt by resolution, as deemed necessary, rules and regulations to implement the provisions of this Section. Such rules and regulations shall have force of law and failure to comply shall be considered a violation of the provisions of this Chapter. The rules and regulations to be adopted shall be implemented with the following intent:

1. Maintain the health and safety of persons and property within the Town;
2. Avoid undue disruption of persons and traffic within the affected areas of the Town.

(Ord. 90, 3-19-1998)

8.70.060: PENALTIES:

It shall be unlawful for any person to violate any of the provisions of this Chapter.

A. Any person who violates the provisions of this Chapter shall receive a correction notice for the first violation for each given year. The notice shall specify the nature of the offense, the date of occurrence and required correction as established by this Chapter.

B. Any person subsequently violating or causing or permitting the violation of any of the provisions of this Chapter within one given year shall be guilty of an infraction which shall be punishable in accordance with [Chapter 1.02](#) of this Code. (Ord. 90, 3-19-1998)

8.70.070 APPLICATION:

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Submittal: Whenever an entitlement, building, subdivision, site plan, or outdoor building/lighting permit is applied for, an outdoor lighting plan must be submitted along with a compliance statement that the proposed work will comply with all code requirements. The outdoor lighting plan may be required to utilize one or both of the following:

1. Schedule Method: Projects to be documented using a spreadsheet format by listing the Luminaire identifications (i.e., manufacturer, model number, type), Luminaire quantities, installation locations, and Lumen outputs for each.
2. Calculation Method: For commercial projects and where specifically requested by the Director; a photometric plan shall be prepared using lighting design software and approved by a licensed Professional Engineer or Architect. This outdoor lighting photometric plan shall include:
 - a. Luminaire identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site that could affect the lighting outcome.
 - b. Site plan and Light Level calculation plots demonstrating conformance with this code, including light trespass limits.

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Review: Submitted spreadsheets, photometric plans, and compliance affidavits shall be subject to review and approval by the Director or their designee.

SECTION 2. Severability: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Town Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 3. Certification; Publication: The Town Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the Town of Yucca Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the Town Clerk in accordance with Government Code § 36933.

SECTION 4. Effective Date: This Ordinance shall become effective thirty (30) days from its adoption.

APPROVED AND ADOPTED this _____ day of _____ 2026.

MAYOR

ATTEST:

TOWN CLERK

APPROVED AS TO FORM:

TOWN ATTORNEY

Motion:

That the Planning Commission approves the application for NPP 058-26, to remove one (1) Mojave Yucca within the path of the proposed electrical utility for a new single-family residence previously reviewed under NPP 214-23, based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as contained within the staff report.

Result: Passed (Yes 4, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Seconder: Commissioner Alejandro Vasconcelos

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

Public Hearings**Department Reports****5. Outdoor Lighting Ordinance — Initial Review and Discussion**

Chair Thomas stated department reports number five, outdoor lighting ordinance, initial review and discussion. Staff.

Associate Planner Willoughby stated, thank you, Chair and Commissioners. This discussion is on the outdoor lighting ordinance, for initial review and discussion, although we anticipate a few more meetings to discuss and refine and recommend any potential changes. The recommendation is that the Planning Commission receives and files the report and provides any input and direction as desired. For background, the town adopted its current outdoor lighting ordinance on March 19, 1998. Changes in the outdoor lighting technology warrant review and potential updates to modernize the regulations. Protection of the night sky is important, not just for stargazing that is enjoyed by residents and millions of visitors to the Morongo Basin and Joshua Tree National Park, but also to the continued viability and diversity of desert animals that may be affected by light pollution and disruptions to their daily cycle. In tandem with preservation of the view of the night sky, standards that adequately address nuisance glare and light trespass that interfere with enjoyment of private property should always be considered. As one of a number of strategic plan priorities, the town council requested updates to the town's outdoor lighting ordinance to reflect modern technologies, standards, and consistency with the California Building Code at their January 20, 2026, meeting. As background for our general plan, within the current 2014 General Plan Open Space and Conservation element, the goal, number eight, is preservation, conservation, and enhancement of Yucca Valley Scenic and Visual Resources. The policy under that goal to achieve that is to minimize impacts to night skies by enforcing the Outdoor Lighting and Night Sky ordinance. And the draft General Plan Amendment that we currently have in process and posted to the webpage for the town, continues to rely upon the town's current

outdoor lighting ordinance as the primary mechanism to implement night sky protection.

Now, for the actual current ordinance standards, there are two important definitions that are fundamental to the evaluation of outdoor lighting compliance. The first is a definition of fully shielded. That definition states, "Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property." Related to that light trespass is defined as, "Nuisance glare from any lighting onto neighboring property that interferes with the viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures. Quantitative measurement of light trespass shall be with a standard yardstick, three feet by one and a half inches. The yardstick shall be placed at the building setback line in the complainant's yard. The yardstick shall be in contact with the ground in any vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yardstick, and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky." Which means, effectively, there is one time each month during the new moon when that measurement can be accurately taken.

So, in summary, the approach the existing ordinance takes is to require full compliance for new construction. For existing structures, the ordinance gradually phases out nonconforming light fixtures by disallowing structural alterations so as to extend its useful life aside from regular maintenance. However, should it be determined based on a complaint that a nonconforming lighting fixture results in light trespass, the town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed, or a combination thereof, to eliminate light trespass. The current ordinance also provides procedures to address requests for exceptions where there might be special circumstances or hardships and provides direction on enforcement of violations through the standard code enforcement and complaint process. The ordinance also provides for a number of exemptions which were reflective of the time the ordinance was adopted when incandescent lighting was fairly common and in use. So some of those exemptions are for things that are less common today, like fixtures producing light directly by combustion of fossil fuels such as kerosene lanterns or gas lamps, neon outdoor lighting fixtures, but also some things that might be still relevant like explicit exemptions for other public agencies that we might not have jurisdiction over. And in additionally, emergency lighting for public utilities and emergency lighting for public safety, rescue operations, and medical treatment to address those emergency situations. Additional exemptions include provided there's no light trespass or the light fixtures are regulated by a motion detector or lighting fixtures within five feet of

an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet in a wattage exceeding 75 watts. So there we see kind of the first mention of a wattage standard.

Internally illuminated signage, holiday lighting fixture displays, architectural lighting, whether it's freestanding or attached to a building, which does not exceed an intensity of 40 watts, pedestrian lighting, which does not have an intensity greater than 40 watts, and vertical lighting for a properly displayed US flag, which does not exceed an intensity of 140 watts. So all those exemptions are using a, a standard that was applicable at the time. It was adopted and useful for incandescent lighting, but may not be quite as applicable to LEDs, which can produce w-- far more lumens on the same wattage. Related to this conversation, as the council's desire was to align our ordinance with the current building codes, there's generally two relevant code sections in the California Building Code Title 24, the Energy Code, and CALGreen Code. In short, residential does have some standards such as motion sensors also that certain exterior lighting must not be left on continuously without compliant controls or time-time switches. Photocells can also be applicable. Although some of the more stringent requirements on outdoor light pollution in CALGreen Part 11, may not be applicable to residential.

Commercial projects have their own requirements under the energy code, in addition to requirements under CALGreen, limiting light pollution, sky glow, controlling light trespass onto neighboring properties, requiring appropriate backlight, up-light, and glare ratings for luminaires, which are lighting fixtures, and encouraging lower color temperature lighting and reduced lighting power. Now, one of the things we included in this packet tonight is the DarkSky Association's model ordinance. Their ordinance was last updated in 2026, so it's relatively recent and kept up to date. And provided in that are some general guidelines, principles for responsible outdoor lighting. Number one, "Lighting should be useful. Use light only if it is needed. Lighting should have clear purpose and consider how the light--the use of light will impact the area, including wildlife in their habitats. Lighting should be targeted, direct light, so it only falls where it's needed. Use shielding and careful aiming to target the direction of light beams so that it points downward and does not spill beyond where it's needed." Third, "Lighting should be low-level. Light should be no brighter than necessary. Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended. Lighting should be controlled. Use light only when it is needed. Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed." And fifth, "Lighting should be warm colored. Use warmer-colored lights where possible. Limit the amount of shorter wavelength blue violet light to the least amount needed."

In speaking about the, correlated color temperature or Kelvins, of light, the town's

current ordinance may benefit from measurable technical standards for lighting that are consistent with some of those best practices, that the DarkSky Association puts out for regulation of modern lighting technology like LEDs. This standard and definition comes directly from their model ordinance. For example, regulation could state, "Unless otherwise specified the maximum allowable correlated color temperature for outdoor luminaries is 3,000 Kelvin." That number, the Commission may recall, is one of the standards that the Commission used to condition Walmart's, fuel station project--to that specific correlated color temperature. Now you can see the scale in the middle. Generally communities that are trying to implement effective light regulations that align with DarkSky Association best practices might have criterion baselines between 2,400 Kelvin to 3,000 Kelvin as the highest recommended baseline criterion. And that just, as it says, ensures visibility of stars within natural nighttime sky and, reducing any potential disruptions to natural biological and ecological systems. Just some final thoughts. Planning Commission should consider whether any proposed amendments to the town's outdoor lighting ordinance will apply only to new construction, how non-conforming light fixtures are addressed, whether proactive enforcement is desired or if the current approach of complaint-based enforcement is--continues to be appropriate and what, if any, exceptions or exemptions should apply such as public safety, security, and temporary lighting. If the town adopts stricter standards, property owners who complied with the current outdoor lighting ordinance may also become nonconforming and be subject to any phase-out or enforcement provision the town should-- could adopt.

Also, notably, the town implements the outdoor lighting ordinance primarily through the plan check and building inspection process. Once projects are finished, staff does not reinspect or become involved unless a complaint is received. And, also that while the town's outdoor lighting regulations can be accessed through the town's webpage or reviewed in person at the town's offices, developing more accessible resources and educational materials on the town's outdoor lighting regulations may help prevent later property owners and tenants from installing or modifying light fixtures in a manner that brings them out of compliance. And I think this was addressed additionally by the council that it may be helpful to have some more education in the community regarding our Outdoor Lighting and Night Sky Protection Standards. Once again, the staff recommendation is that the Planning Commission receives and files a report and provides any input and direction as desired. And staff is available to answer questions following public comment.

Chair Thomas stated All right. Thank you, Evan. Uh, right now, I'll open it up to public comment. And anybody in the audience wishing--?

Commission Secretary Yochmowitz stated we do have one public speaker, Diane Hartt.

Chair Thomas stated okay. Please come to the dais. Hi.

Public comment speaker, Diane Hartt, stated has the timer got to go on? Okay. Um, I've been a long time--I guess I'm an old timer. We've lived up here since-- Terry and I have lived up here since 1985. We lived in North Joshua Tree and in our home in Yucca Valley up in Juniper Terrace since, uh, 1989. Um, well, um, a lot of what you said. I got my information from DarkSky International. Um, I am a volunteer at MDLT. I was at, uh, a, um, presentation that they had from students from San Bernardino College. Met a gal, one thing led to another. Started my night sky table. Our kids live in DC and I went to the-- um, uh, it's the, um, Natural History Museum and there was a big, huge presentation on the dark sky. The lights in the night sky has always been a pet peeve of mine. When was the last time you looked up on the moonless night and saw the Milky Way stretching from horizon to the other--from one horizon to the other? For most people today, that experience has become increasingly rare. More than 80% of Americans now live under skies so bright with artificial light that many of our children have never truly seen a dark night sky. Yet darkness is not something to fear. It is a natural resource just as valuable as clean air and clean water.

A dark night sky connects us to our past. For thousands of years, people navigated by the stars, planted crops according to the seasons, and told stories inspired by the constellations. Every civilization has looked to the heavens with wonder. We lose-- when we lose the stars, we lose part of our shared human heritage. But protecting the night sky isn't about enjoying the beautiful views. It is also about-- about protecting life on Earth. Many animals depend on natural darkness to, to survive. Owls, bats, foxes, and countless invertebrates hunt and navigate under the cover of night. Sea turtles rely on the moon and stars to find their ocean after hatching. Migrating birds use the stars to guide journeys through the space-- journeys that may span thousands of miles. Artificial lighting can confuse these animals, uh, disrupting feeding, breeding, migration, and even leading to death. Even plants are affected by excessive nighttime lighting. Their natural cycles of flowering, dormancy, and pollination can be altered by artificial light that never turns off. Humans are affected as well. Our bodies are designed to experience bright days and dark nights. Darkness signals the brain to produce melatonin, the hormone that helps regulate healthy sleep. Too much light at night can interfere with sleep patterns and our overall health.

While modern lighting has made our lives safer and more convenient, we can enjoy these benefits without flooding the night with unnecessary light. The good news is the solution is surprisingly simple. We don't have to eliminate outdoor lighting. We simply need to use it wisely. Night-friendly sky-- lighting starts with using fixtures that point light downward instead of upward or sideways. Light should illuminate the ground where it is needed, not the sky. We should use only as much light as necessary. Brighter isn't always better. Often lower intensity lighting provides better visibility with less glare. Choosing warm color bulbs with those-- with a color temperature of 3,000 Kelvin or less reduce the amount of blue light--I have one more

page.

Chair Thomas stated go ahead--and finish.

Public Speaker, Diane Hartt, stated um, blue light-- um, reduces the amount of blue light that scatters into the atmosphere and minimizes impacts on wildlife. Motion sensors-- motion sensors, timers, and dimmers can ensure lights are, are on only when people actually need them. These simple changes save energy, lower electrical bills, improve nighttime safety by reducing glare and allow us to reclaim the beauty of the stars. Communities across the world are already p-p-proving that this works. Cities, neighborhoods, and parks that adopt dark-sky-friendly lighting enjoy reduced energy costs while preserving the nighttime environment for both people and wildlife. Each of us can make a difference. We can replace our outdoor light fixture, encourage our neighbors to shield their lights, support repo--responsible lighting ordinances, and educate others about why darkness matters. The night sky belongs to all of us. It inspires scientists, artists, photographers, children. Okay. Imagine, imagine giving the next--oh shoot. Imagine giving the next generation the chance to step outside, look up, and see the stars instead of a dull orange glow. That is a gift worth protecting. I'm sorry, it's so emotional.

Chair Thomas stated no, that's fine. Thank you so much for your comment. Do we have anybody online? Nobody else in the audience? Okay. We'll close public comments and we'll go to the commissioners now. Let's start with Commissioner Vasconcelos.

Commissioner Vasconcelos stated, thank you. So I too have lived in this town in a very long time. I think maybe a little bit longer than you. And, uh, I appreciate the night sky. I still go out and see the stars every night. I can see the Milky Way. I can see everything as it is right now in, in our--in our town. Um, do I think that there should be some enforcements, uh, for certain restrictions? Absolutely. You know, um, at the same time, I, I don't wanna see, like, uh, it get to be the point where I see people moving to our community and they don't like the lighting of their neighbor's lights and then they report them because they're saying their lights are too bright. And those lights have been the same lights that have been there for 30 years.

Um, on the same token, I--uh, you know, in regards to our community, uh, I kinda wish there was a little bit more lighting in our community. There's a lot of unsafe walking around. Like, I wish there was some sort of street lighting that was going on in some of these communities in, in the, the--and homes because there is a lot of stuff that goes on at night that maybe is unfavorable that, that there was some lighting. And, and, um, not to say that, that we have s--you know, street lights on every corner, but. Uh, you know, I, I happened upon an incident that just happened to me just the other day, and I had my lights on my house dimmed down. I have, you know, the under-eve lighting, that--and I--and you can change the colors and decorate it the way you want it decorated. But I had it set for like 4th of July colors. So

it was a much dimmer light. And I had some hooligans come down and run down my, my driveway and bang on my door extremely hard. And I go and look on my cameras. And because my lighting wasn't set to the right lighting, I couldn't get to ID any of them. So then I turned my lighting to the normal lighting levels and those hooligans came back and banged down my door again. And that time, I was able to see who they were.

So I definitely think that there is a--there is a need for, um, limiting the amount of lighting we have. But in my opinion, and living here as long as I've lived, I'm not seeing the--uh, in--least in the neighborhoods, I'm not seeing that it's, it's causing an, an effect as much as where I'm not seeing the night skies. And I'm--I live in a pretty developed area of, of where I'm at, and I can still enjoy the night sky wonderfully, so. I mean, I think th--I think, uh, we could, you know, look at other communities and see what their rules are set right now. M--something more of--aligned, like, with, uh, I don't know, some, some places locally, like say, you know, Twentynine Palms or maybe even like--um, what's another kind of--?

Maybe DHS. And then look at some other examples of, like, other areas that are kind of similar to this. You know, I've been spending a lot of time in Yucaipa lately, and Yucaipa has very similar aspects of that and see what kinda ordinance they might have in, in here. You know, that's ki--even though it's more city, it's--it definitely is. You know, the more time I've been spending in Yucaipa, it really does--it almost has less, uh, amenities than we do. They don't have a Walmart. They don't have a Kmart. They just have--they don't have big box stores there.

So yeah. Th--that's my thought on the matter for right now. I mean, to, to discuss and, and carry on this discussion.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated I'll go. Uh, f-f--yeah, first off, I just, uh, wanted to thank the town council for, uh, recommending that we take a look at this. Any of our ordinances, I think, that have been around, uh, without having, having any--an extra look based on just what's happened since that time, this one being from 1998--a lot has happened since 1998 as a town. Uh, we, we--even going back to that date, I think we could look back and say we didn't have as many, you know, large car dealerships that for a while, when those first car dealerships were built, if anyone was here, those lights were a little bit brighter than they were supposed to be, and they got dimmed down based on this ordinance that we have. Um, I, I--you know, our ordinances definitely have merit as we have it written. I read through what we have currently. I just think there's, uh, some updates we can make, um, based on town's--staff's recommendations for kind of what technology really means today. 'Cause if someone was to install a 75-watt LED fixture, that's gonna put out a ton more lumens than a 75-watt incandescent bulb. And, and that's just based on technology changing. Um, i-i-i-it, it could be as simple as adding the word equivalent because if,

if, if we're dealing with an equivalent fixture, an equivalent 75-watt fixture is maybe based on like five watts or six watts, um, in an LED.

Uh, I do like color quite a bit. Um, a-and, and not to look at too many other cities, um, that are maybe a little more urbanized, but, we-we--you know, we are right next to our national park. Um, it kinda brings to mind, like, being in Sedona where they have--I think, maybe more strict than we wanna be. Um, dark sky ordinances where everything is extremely orange. But they have--it's, it's in the 2,200 Kelvin range where everything is a little orange glow at night, and you really can be in the middle of that town and still see everything in the sky, which is--which is pretty amazing. Um, I, I don't--I think that's kind of a long ways off for us, but I, I think making some positive changes to get somewhere to, to kind of better what we have, um, and preserve what we have.

I think as we grow, if we were to stay exactly the same way we are right now, we would start to see our sky get brighter and brighter as we grow and add more homes or more businesses in town. Um, and I think this is our opportunity to make sure that as we grow, we kind of kind of keep--kinda keep this w-where we are with our light canopy. And if we can help to reduce that light canopy as businesses replace some of their, uh, parking lot lights or things that are burning very blue or, or extremely white light right now. Um, I, I think we've done some great things as a commission in the last five years, like in--I--just in Aldi's parking lot and Chipotle's parking lot, with those newer fixtures being in a 3,000 Kelvin range, I think that really does help with warmer light in those parking areas. Um, a-and honestly, s-sitting at home, kind of up on the hill in Western Hills and looking down at our business corridor, I can look at Aldi from my house and say, "That is d--a dimmer light." But when you get down in the parking lot, it is very--it's a very blanketed, even light. And I--it's something that, to me, as a planning commissioner, it makes me proud that we made that determination, um, and d-design recommendation in our--in our--uh, in our action for, for that project.

Um, I like the fact that our current ordinance talks about, um, c-incli--uh, uh, compliance being encouraged by other agencies. Um, for example, um, uh, High Desert Water just finished a pump house on Old Woman Springs Road at Paxton, and the fixtures they initially installed were not downward-facing lights. They shine straight out. And as you drove up 247, it was a glaring light in your face. Um, and, and I made a quick call to someone at the water district. They said, "Oh, we didn't think about that." And they changed those fixtures out, and it gives them just as much light on the ground where they need it to be secure in their facility, but it also doesn't impact out and cause--and cause impact to other people. So I think even the, the things that we have in our ordinance that once they looked at it, I think it means something. Um, I, I think there's a lot of language that we could edit to help move us into the future with LED lighting. Uh, I think that's a great point by town staff. And I really liked, um, in, in the discussion pages we had tonight, um, encouraging lower temperature lighting and reduced lighting--as part of CALGreen, uh, for commercial

projects.

I, I, I think, uh, uh, going back decades in our larger s--uh, s--uh, like, supermarket parking lots, there was always safety, safety, safety, and it was very, very bright. And I think those standards have changed. There's-- um, there's lighting standards, uh, as far as standards, meaning the poles, have gotten a lot shorter, and it seems like there's more lights, but they're a lot dimmer to kind of provide a blanket rather than really hot spots that have to be really bright to get enough light out to the edges of those zones they cover. Uh, so I think we've, we've made some progress in those ways, and it'd be nice to have something to where as those fixtures sunset, it gives businesses kind of a framework, um, for, uh, installing something that's better, that, that, that really, um, helps the night sky maintain the levels it's at. Um, the last thing is, um, I, I agree with Commissioner Vasconcelos regarding looking at maybe Twentynine Palms and the county as to what their current, uh, night sky or, or lighting ordinances are and where they're at. So we could try to have something that's consistent if people are visiting and driving from our community through Joshua Tree to Twentynine where it feels, you know, somewhat consistent in, in the way it works. Um, it would also be nice, I, I think, as, as, like, uh, light fixtures, uh, as Commissioner Vasconcelos was talking about streetlights and things, uh, failed, uh, as opposed to putting in really bright white streetlights. Have those also be in that kinda commercial d-design recommendations. I think that would help kinda maintain where we're at. But I, I think we're at a crossroads where we are gonna continue to grow. We need to look at the future and recognize that if we don't make proper planning now, in 20 years, what's--[crosstalk]----our sky gonna be? It's gonna be [crosstalk]. And, and I think that's important for all of us to leave something for our kids and for the next generation that does reflect where we're at and the beauty of our nights and, and our sky. Uh, so I think those are my thoughts. And, uh, I look forward to getting some more feedback from the town as this process continues.

Chair Thomas stated, okay. Thank you. Vice Chair Henderson.

Vice Chair Henderson stated, yeah, thank you. Great comments. Um, and I, I agree with Commissioner Vasconcelos on, um, having some common sense proactive enforcement. Not, not crazy totalitarian enforcement, but some common-sense enforcement would be good. And I wanna thank, uh, Diane for your thoughtful comments. Uh, I also live up in Juniper Terrace, and I appreciate, um, the--kind of the darkness in that area. When you leave it, uh, uh, you, you realize how much light is in some of these other neighborhoods, so. A couple of things I wanted to touch on was Commissioner Stoker brought up a lot of good things about commercial lighting. But one of the things I think since this ordinance was created was, uh, a lot of home security, uh, cameras with lighting that kicks on. And people will have that all around their property. They may have one on a side of the house that's projecting light on motion right into their neighbor's windows or whatever. And I think that that is kinda missing in this, although it could be covered under the light trespass definition for sure. But if you go down to the next page on--um, on 54 under subsection F, it, it talks

about, like, an exemption for regulated motion detection. So I think maybe we can clarify that just a little bit about home security lighting.

Um, the other aspect would be that I think is kinda missing is, uh, some--maybe some more clear timelines, uh, when there is a violation discovered. Um, how--uh, within the code, like, how long do they have to fix these things? You know? And I think that might be missing as well. But, uh, other than that, I do like the fact that, uh, the town council has encouraged more education from the town. So, uh, that would be, uh, m-more so just on that home security lighting standpoint, which I'm in super favor of. Just maybe not--uh, and I can see the fact we may go into your own backyard and your neighbor's lights kick on and light you up, right, depending on how close you're there. So just some things to think about.

Chair Thomas stated okay. Thank you. Yeah, I'm, I'm, uh, essentially in agreement with all my commissioners. Everybody's made some really good comments here for us to discuss. Uh, I won't be repetitive. Uh, I do agree with, um, uh, Vice Chair Henderson on I don't want it to be too, uh, ominous for residential, I, I, I think. But there are some common sense things that we could do, especially with the lighting, uh, you know, that kicks on automatically. I'm a big proponent of keeping the majority of lighting, uh, outdoor lighting from 3,000 Kelvins or less. I, I, I--there's a--there's definitely a d--a difference in the coloring and that bright, white, bluey, uh, color that you see, especially in the commercial divisions around here that, you know, they're doing for security or something like that. Sometimes they're just blasting out and it's just way too bright. It's not necessary. I, I agree with Commissioner Stoker on, on the, the fact that the lighting technology is changing now. So, um, we need to embrace that. Um, I will say one thing that I'm gonna--all these ordinances that we come up with are, are good that we go back and forth. And whether they're a lighting ordinance or a landscape ordinance or a sidewalk vendor ordinance, any of these ordinances, none of it's worth a darn if we're not willing to enforce it. And that's--I go right back to this thing again. All these things are really great, but if we don't enforce it, and it-- then it's just empty words as far as I'm concerned. So we have to make sure that we have a good component to enforce these things on a timely schedule, so when we do get complaints--and I'm, I'm speaking--uh, probably most of the complaints--complaints will come from commercial divisions. That's where, I think. Especially up and down the highway, stuff like that. Um, so I'd like to see something that we discuss between Council and the Planning Commission as how are we going to implement this stuff and how are we gonna enforce it so that we don't have things lagging? Um, and that's it for me. Uh, anybody else wanna make any other comments?

Commissioner Vasconcelos stated no, I, I mean, I agree with you on the, the enforcement aspect of it. I think that it's difficult when you're not staffed to have that enforced. I mean, we saw that in the--in, in a case a few months ago with a fence that was trying to be, you know, raised up and there's fencing all around the place, all, all over the location that is that high that is--wasn't in here under review because it

wasn't reported to have an issue.

Yeah. So I feel like that--I would love that to be the case that we get it enforced, but it's just one of those things. I think that we don't have--[crosstalk]--the staffing--Well, you, you know, as we--to do it.

Chair Thomas stated I know. And as we grow and--then as, as Commissioner Stoker just said--uh, you know, as the town continues to grow and expand, we're gonna have more and more things come up. I mean--And, and if we just let them go--it's, it's--uh, this--

Commissioner Vasconcelos stated yeah, I mean, I think it's--this--I think it's a, a valid reason because there's a lot of things in this town that need to ha-- I mean, I don't wanna go sideways on--enforcing--en-enforcing things, but, like, there's, there's definitely probably a need for an additional, you know, body to help, help enforce things in town.

Chair Thomas stated yeah, I would a-- I would agree with that, so. Well, that being said, uh, if there are no other comments, if you guys wanna, uh--

Commissioner Henderson stated yeah, I'll go ahead and make [crosstalk]--do a motion to receive and file, that'd be great. Uh, some great th-thoughtful discussion. I look forward to future conversation on this, but I'll make a motion to receive and file the report.

Motion:

That the Planning Commission receives and files the report, and provides any input and direction as desired.

Result: Passed (Yes 4, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

6. Land Development Update

Chair Thomas stated and we go to item number six, Land Development Update.

Senior Planner Jerome stated good evening. The, uh, recommendation on the Land Development Update is to receive and file. Um, I'll be fairly brief. There's not a ton of updates, but there are some notable ones. Uh, Tumbleweed Sanctuary is in their final stage of CEQA review, just kind of a high-level review at this point. Um, we're hoping that they can come to the Planning Commission either late next month or perhaps, uh, in September, um, depending on when that CEQA review wraps up. But they are very close. Um, CNS Chicken Bar, um, continues to make progress, and, uh,

Motion:

That the Planning Commission approves the application for NPP 058-26, to remove one (1) Mojave Yucca within the path of the proposed electrical utility for a new single-family residence previously reviewed under NPP 214-23, based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as contained within the staff report.

Result: Passed (Yes 4, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Alejandro Vasconcelos

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

Public Hearings**Department Reports****5. Outdoor Lighting Ordinance — Initial Review and Discussion**

Chair Thomas stated department reports number five, outdoor lighting ordinance, initial review and discussion. Staff.

Associate Planner Willoughby stated, thank you, Chair and Commissioners. This discussion is on the outdoor lighting ordinance, for initial review and discussion, although we anticipate a few more meetings to discuss and refine and recommend any potential changes. The recommendation is that the Planning Commission receives and files the report and provides any input and direction as desired. For background, the town adopted its current outdoor lighting ordinance on March 19, 1998. Changes in the outdoor lighting technology warrant review and potential updates to modernize the regulations. Protection of the night sky is important, not just for stargazing that is enjoyed by residents and millions of visitors to the Morongo Basin and Joshua Tree National Park, but also to the continued viability and diversity of desert animals that may be affected by light pollution and disruptions to their daily cycle. In tandem with preservation of the view of the night sky, standards that adequately address nuisance glare and light trespass that interfere with enjoyment of private property should always be considered. As one of a number of strategic plan priorities, the town council requested updates to the town's outdoor lighting ordinance to reflect modern technologies, standards, and consistency with the California Building Code at their January 20, 2026, meeting. As background for our general plan, within the current 2014 General Plan Open Space and Conservation element, the goal, number eight, is preservation, conservation, and enhancement of Yucca Valley Scenic and Visual Resources. The policy under that goal to achieve that is to minimize impacts to night skies by enforcing the Outdoor Lighting and Night Sky ordinance. And the draft General Plan Amendment that we currently have in process and posted to the webpage for the town, continues to rely upon the town's current

outdoor lighting ordinance as the primary mechanism to implement night sky protection.

Now, for the actual current ordinance standards, there are two important definitions that are fundamental to the evaluation of outdoor lighting compliance. The first is a definition of fully shielded. That definition states, "Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property." Related to that light trespass is defined as, "Nuisance glare from any lighting onto neighboring property that interferes with the viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures. Quantitative measurement of light trespass shall be with a standard yardstick, three feet by one and a half inches. The yardstick shall be placed at the building setback line in the complainant's yard. The yardstick shall be in contact with the ground in any vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yardstick, and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky." Which means, effectively, there is one time each month during the new moon when that measurement can be accurately taken.

So, in summary, the approach the existing ordinance takes is to require full compliance for new construction. For existing structures, the ordinance gradually phases out nonconforming light fixtures by disallowing structural alterations so as to extend its useful life aside from regular maintenance. However, should it be determined based on a complaint that a nonconforming lighting fixture results in light trespass, the town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed, or a combination thereof, to eliminate light trespass. The current ordinance also provides procedures to address requests for exceptions where there might be special circumstances or hardships and provides direction on enforcement of violations through the standard code enforcement and complaint process. The ordinance also provides for a number of exemptions which were reflective of the time the ordinance was adopted when incandescent lighting was fairly common and in use. So some of those exemptions are for things that are less common today, like fixtures producing light directly by combustion of fossil fuels such as kerosene lanterns or gas lamps, neon outdoor lighting fixtures, but also some things that might be still relevant like explicit exemptions for other public agencies that we might not have jurisdiction over. And in additionally, emergency lighting for public utilities and emergency lighting for public safety, rescue operations, and medical treatment to address those emergency situations. Additional exemptions include provided there's no light trespass or the light fixtures are regulated by a motion detector or lighting fixtures within five feet of

an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet in a wattage exceeding 75 watts. So there we see kind of the first mention of a wattage standard.

Internally illuminated signage, holiday lighting fixture displays, architectural lighting, whether it's freestanding or attached to a building, which does not exceed an intensity of 40 watts, pedestrian lighting, which does not have an intensity greater than 40 watts, and vertical lighting for a properly displayed US flag, which does not exceed an intensity of 140 watts. So all those exemptions are using a, a standard that was applicable at the time. It was adopted and useful for incandescent lighting, but may not be quite as applicable to LEDs, which can produce w-- far more lumens on the same wattage. Related to this conversation, as the council's desire was to align our ordinance with the current building codes, there's generally two relevant code sections in the California Building Code Title 24, the Energy Code, and CALGreen Code. In short, residential does have some standards such as motion sensors also that certain exterior lighting must not be left on continuously without compliant controls or time-time switches. Photocells can also be applicable. Although some of the more stringent requirements on outdoor light pollution in CALGreen Part 11, may not be applicable to residential.

Commercial projects have their own requirements under the energy code, in addition to requirements under CALGreen, limiting light pollution, sky glow, controlling light trespass onto neighboring properties, requiring appropriate backlight, up-light, and glare ratings for luminaires, which are lighting fixtures, and encouraging lower color temperature lighting and reduced lighting power. Now, one of the things we included in this packet tonight is the DarkSky Association's model ordinance. Their ordinance was last updated in 2026, so it's relatively recent and kept up to date. And provided in that are some general guidelines, principles for responsible outdoor lighting. Number one, "Lighting should be useful. Use light only if it is needed. Lighting should have clear purpose and consider how the light--the use of light will impact the area, including wildlife in their habitats. Lighting should be targeted, direct light, so it only falls where it's needed. Use shielding and careful aiming to target the direction of light beams so that it points downward and does not spill beyond where it's needed." Third, "Lighting should be low-level. Light should be no brighter than necessary. Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended. Lighting should be controlled. Use light only when it is needed. Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed." And fifth, "Lighting should be warm colored. Use warmer-colored lights where possible. Limit the amount of shorter wavelength blue violet light to the least amount needed."

In speaking about the, correlated color temperature or Kelvins, of light, the town's

current ordinance may benefit from measurable technical standards for lighting that are consistent with some of those best practices, that the DarkSky Association puts out for regulation of modern lighting technology like LEDs. This standard and definition comes directly from their model ordinance. For example, regulation could state, "Unless otherwise specified the maximum allowable correlated color temperature for outdoor luminaries is 3,000 Kelvin." That number, the Commission may recall, is one of the standards that the Commission used to condition Walmart's, fuel station project--to that specific correlated color temperature. Now you can see the scale in the middle. Generally communities that are trying to implement effective light regulations that align with DarkSky Association best practices might have criterion baselines between 2,400 Kelvin to 3,000 Kelvin as the highest recommended baseline criterion. And that just, as it says, ensures visibility of stars within natural nighttime sky and, reducing any potential disruptions to natural biological and ecological systems. Just some final thoughts. Planning Commission should consider whether any proposed amendments to the town's outdoor lighting ordinance will apply only to new construction, how non-conforming light fixtures are addressed, whether proactive enforcement is desired or if the current approach of complaint-based enforcement is--continues to be appropriate and what, if any, exceptions or exemptions should apply such as public safety, security, and temporary lighting. If the town adopts stricter standards, property owners who complied with the current outdoor lighting ordinance may also become nonconforming and be subject to any phase-out or enforcement provision the town should-- could adopt.

Also, notably, the town implements the outdoor lighting ordinance primarily through the plan check and building inspection process. Once projects are finished, staff does not reinspect or become involved unless a complaint is received. And, also that while the town's outdoor lighting regulations can be accessed through the town's webpage or reviewed in person at the town's offices, developing more accessible resources and educational materials on the town's outdoor lighting regulations may help prevent later property owners and tenants from installing or modifying light fixtures in a manner that brings them out of compliance. And I think this was addressed additionally by the council that it may be helpful to have some more education in the community regarding our Outdoor Lighting and Night Sky Protection Standards. Once again, the staff recommendation is that the Planning Commission receives and files a report and provides any input and direction as desired. And staff is available to answer questions following public comment.

Chair Thomas stated All right. Thank you, Evan. Uh, right now, I'll open it up to public comment. And anybody in the audience wishing--?

Commission Secretary Yochmowitz stated we do have one public speaker, Diane Hartt.

Chair Thomas stated okay. Please come to the dais. Hi.

Public comment speaker, Diane Hartt, stated has the timer got to go on? Okay. Um, I've been a long time--I guess I'm an old timer. We've lived up here since-- Terry and I have lived up here since 1985. We lived in North Joshua Tree and in our home in Yucca Valley up in Juniper Terrace since, uh, 1989. Um, well, um, a lot of what you said. I got my information from DarkSky International. Um, I am a volunteer at MDLT. I was at, uh, a, um, presentation that they had from students from San Bernardino College. Met a gal, one thing led to another. Started my night sky table. Our kids live in DC and I went to the-- um, uh, it's the, um, Natural History Museum and there was a big, huge presentation on the dark sky. The lights in the night sky has always been a pet peeve of mine. When was the last time you looked up on the moonless night and saw the Milky Way stretching from horizon to the other--from one horizon to the other? For most people today, that experience has become increasingly rare. More than 80% of Americans now live under skies so bright with artificial light that many of our children have never truly seen a dark night sky. Yet darkness is not something to fear. It is a natural resource just as valuable as clean air and clean water.

A dark night sky connects us to our past. For thousands of years, people navigated by the stars, planted crops according to the seasons, and told stories inspired by the constellations. Every civilization has looked to the heavens with wonder. We lose-- when we lose the stars, we lose part of our shared human heritage. But protecting the night sky isn't about enjoying the beautiful views. It is also about-- about protecting life on Earth. Many animals depend on natural darkness to, to survive. Owls, bats, foxes, and countless invertebrates hunt and navigate under the ni-- cover of night. Sea turtles rely on the moon and stars to find their ocean after hatching. Migrating birds use the stars to guide journeys through the spa-- journeys that may span thousands of miles. Artificial lighting can confuse these animals, uh, disrupting feeding, breeding, migration, and even leading to death. Even plants are affected by excessive nighttime lighting. Their natural cycles of flowering, dormancy, and pollination can be altered by artificial light that never turns off. Humans are affected as well. Our bodies are designed to experience bright days and dark nights. Darkness signals the brain to produce melatonin, the hormone that helps regulate healthy sleep. Too much light at night can interfere with sleep patterns and our overall health.

While modern lighting has made our lives safer and more convenient, we can enjoy these benefits without flooding the night with unnecessary light. The good news is the solution is surprisingly simple. We don't have to eliminate outdoor lighting. We simply need to use it wisely. Night-friendly sky-- lighting starts with using fixtures that point light downward instead of upward or sideways. Light should illuminate the ground where it is needed, not the sky. We should use only as much light as necessary. Brighter isn't always better. Often lower intensity lighting provides better visibility with less glare. Choosing warm color bulbs with those-- with a color temperature of 3,000 Kelvin or less reduce the amount of blue light--I have one more

page.

Chair Thomas stated go ahead--and finish.

Public Speaker, Diane Hartt, stated um, blue light-- um, reduces the amount of blue light that scatters into the atmosphere and minimizes impacts on wildlife. Motion sensors-- motion sensors, timers, and dimmers can ensure lights are, are on only when people actually need them. These simple changes save energy, lower electrical bills, improve nighttime safety by reducing glare and allow us to reclaim the beauty of the stars. Communities across the world are already p-p-proving that this works. Cities, neighborhoods, and parks that adopt dark-sky-friendly lighting enjoy reduced energy costs while preserving the nighttime environment for both people and wildlife. Each of us can make a difference. We can replace our outdoor light fixture, encourage our neighbors to shield their lights, support repo--responsible lighting ordinances, and educate others about why darkness matters. The night sky belongs to all of us. It inspires scientists, artists, photographers, children. Okay. Imagine, imagine giving the next--oh shoot. Imagine giving the next generation the chance to step outside, look up, and see the stars instead of a dull orange glow. That is a gift worth protecting. I'm sorry, it's so emotional.

Chair Thomas stated no, that's fine. Thank you so much for your comment. Do we have anybody online? Nobody else in the audience? Okay. We'll close public comments and we'll go to the commissioners now. Let's start with Commissioner Vasconcelos.

Commissioner Vasconcelos stated, thank you. So I too have lived in this town in a very long time. I think maybe a little bit longer than you. And, uh, I appreciate the night sky. I still go out and see the stars every night. I can see the Milky Way. I can see everything as it is right now in, in our--in our town. Um, do I think that there should be some enforcements, uh, for certain restrictions? Absolutely. You know, um, at the same time, I, I don't wanna see, like, uh, it get to be the point where I see people moving to our community and they don't like the lighting of their neighbor's lights and then they report them because they're saying their lights are too bright. And those lights have been the same lights that have been there for 30 years.

Um, on the same token, I--uh, you know, in regards to our community, uh, I kinda wish there was a little bit more lighting in our community. There's a lot of unsafe walking around. Like, I wish there was some sort of street lighting that was going on in some of these communities in, in the, the--and homes because there is a lot of stuff that goes on at night that maybe is unfavorable that, that there was some lighting. And, and, um, not to say that, that we have s--you know, street lights on every corner, but. Uh, you know, I, I happened upon an incident that just happened to me just the other day, and I had my lights on my house dimmed down. I have, you know, the under-eve lighting, that--and I--and you can change the colors and decorate it the way you want it decorated. But I had it set for like 4th of July colors. So

it was a much dimmer light. And I had some hooligans come down and run down my, my driveway and bang on my door extremely hard. And I go and look on my cameras. And because my lighting wasn't set to the right lighting, I couldn't get to ID any of them. So then I turned my lighting to the normal lighting levels and those hooligans came back and banged down my door again. And that time, I was able to see who they were.

So I definitely think that there is a--there is a need for, um, limiting the amount of lighting we have. But in my opinion, and living here as long as I've lived, I'm not seeing the--uh, in--least in the neighborhoods, I'm not seeing that it's, it's causing an, an effect as much as where I'm not seeing the night skies. And I'm--I live in a pretty developed area of, of where I'm at, and I can still enjoy the night sky wonderfully, so. I mean, I think th--I think, uh, we could, you know, look at other communities and see what their rules are set right now. M--something more of--aligned, like, with, uh, I don't know, some, some places locally, like say, you know, Twentynine Palms or maybe even like--um, what's another kind of--?

Maybe DHS. And then look at some other examples of, like, other areas that are kind of similar to this. You know, I've been spending a lot of time in Yucaipa lately, and Yucaipa has very similar aspects of that and see what kinda ordinance they might have in, in here. You know, that's ki--even though it's more city, it's--it definitely is. You know, the more time I've been spending in Yucaipa, it really does--it almost has less, uh, amenities than we do. They don't have a Walmart. They don't have a Kmart. They just have--they don't have big box stores there.

So yeah. Th--that's my thought on the matter for right now. I mean, to, to discuss and, and carry on this discussion.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated I'll go. Uh, f-f--yeah, first off, I just, uh, wanted to thank the town council for, uh, recommending that we take a look at this. Any of our ordinances, I think, that have been around, uh, without having, having any--an extra look based on just what's happened since that time, this one being from 1998--a lot has happened since 1998 as a town. Uh, we, we--even going back to that date, I think we could look back and say we didn't have as many, you know, large car dealerships that for a while, when those first car dealerships were built, if anyone was here, those lights were a little bit brighter than they were supposed to be, and they got dimmed down based on this ordinance that we have. Um, I, I--you know, our ordinances definitely have merit as we have it written. I read through what we have currently. I just think there's, uh, some updates we can make, um, based on town's--staff's recommendations for kind of what technology really means today. 'Cause if someone was to install a 75-watt LED fixture, that's gonna put out a ton more lumens than a 75-watt incandescent bulb. And, and that's just based on technology changing. Um, i-i-i-it, it could be as simple as adding the word equivalent because if,

if, if we're dealing with an equivalent fixture, an equivalent 75-watt fixture is maybe based on like five watts or six watts, um, in an LED.

Uh, I do like color quite a bit. Um, a-and, and not to look at too many other cities, um, that are maybe a little more urbanized, but, we-we--you know, we are right next to our national park. Um, it kinda brings to mind, like, being in Sedona where they have--I think, maybe more strict than we wanna be. Um, dark sky ordinances where everything is extremely orange. But they have--it's, it's in the 2,200 Kelvin range where everything is a little orange glow at night, and you really can be in the middle of that town and still see everything in the sky, which is--which is pretty amazing. Um, I, I don't--I think that's kind of a long ways off for us, but I, I think making some positive changes to get somewhere to, to kind of better what we have, um, and preserve what we have.

I think as we grow, if we were to stay exactly the same way we are right now, we would start to see our sky get brighter and brighter as we grow and add more homes or more businesses in town. Um, and I think this is our opportunity to make sure that as we grow, we kind of kind of keep--kinda keep this w-where we are with our light canopy. And if we can help to reduce that light canopy as businesses replace some of their, uh, parking lot lights or things that are burning very blue or, or extremely white light right now. Um, I, I think we've done some great things as a commission in the last five years, like in--I--just in Aldi's parking lot and Chipotle's parking lot, with those newer fixtures being in a 3,000 Kelvin range, I think that really does help with warmer light in those parking areas. Um, a-and honestly, s-sitting at home, kind of up on the hill in Western Hills and looking down at our business corridor, I can look at Aldi from my house and say, "That is d--a dimmer light." But when you get down in the parking lot, it is very--it's a very blanketed, even light. And I--it's something that, to me, as a planning commissioner, it makes me proud that we made that determination, um, and d-design recommendation in our--in our--uh, in our action for, for that project.

Um, I like the fact that our current ordinance talks about, um, c-incli--uh, uh, compliance being encouraged by other agencies. Um, for example, um, uh, High Desert Water just finished a pump house on Old Woman Springs Road at Paxton, and the fixtures they initially installed were not downward-facing lights. They shine straight out. And as you drove up 247, it was a glaring light in your face. Um, and, and I made a quick call to someone at the water district. They said, "Oh, we didn't think about that." And they changed those fixtures out, and it gives them just as much light on the ground where they need it to be secure in their facility, but it also doesn't impact out and cause--and cause impact to other people. So I think even the, the things that we have in our ordinance that once they looked at it, I think it means something. Um, I, I think there's a lot of language that we could edit to help move us into the future with LED lighting. Uh, I think that's a great point by town staff. And I really liked, um, in, in the discussion pages we had tonight, um, encouraging lower temperature lighting and reduced lighting--as part of CALGreen, uh, for commercial

projects.

I, I, I think, uh, uh, going back decades in our larger s--uh, s--uh, like, supermarket parking lots, there was always safety, safety, safety, and it was very, very bright. And I think those standards have changed. There's-- um, there's lighting standards, uh, as far as standards, meaning the poles, have gotten a lot shorter, and it seems like there's more lights, but they're a lot dimmer to kind of provide a blanket rather than really hot spots that have to be really bright to get enough light out to the edges of those zones they cover. Uh, so I think we've, we've made some progress in those ways, and it'd be nice to have something to where as those fixtures sunset, it gives businesses kind of a framework, um, for, uh, installing something that's better, that, that, that really, um, helps the night sky maintain the levels it's at. Um, the last thing is, um, I, I agree with Commissioner Vasconcelos regarding looking at maybe Twentynine Palms and the county as to what their current, uh, night sky or, or lighting ordinances are and where they're at. So we could try to have something that's consistent if people are visiting and driving from our community through Joshua Tree to Twentynine where it feels, you know, somewhat consistent in, in the way it works. Um, it would also be nice, I, I think, as, as, like, uh, light fixtures, uh, as Commissioner Vasconcelos was talking about streetlights and things, uh, failed, uh, as opposed to putting in really bright white streetlights. Have those also be in that kinda commercial d-design recommendations. I think that would help kinda maintain where we're at. But I, I think we're at a crossroads where we are gonna continue to grow. We need to look at the future and recognize that if we don't make proper planning now, in 20 years, what's--[crosstalk]----our sky gonna be? It's gonna be [crosstalk]. And, and I think that's important for all of us to leave something for our kids and for the next generation that does reflect where we're at and the beauty of our nights and, and our sky. Uh, so I think those are my thoughts. And, uh, I look forward to getting some more feedback from the town as this process continues.

Chair Thomas stated, okay. Thank you. Vice Chair Henderson.

Vice Chair Henderson stated, yeah, thank you. Great comments. Um, and I, I agree with Commissioner Vasconcelos on, um, having some common sense proactive enforcement. Not, not crazy totalitarian enforcement, but some common-sense enforcement would be good. And I wanna thank, uh, Diane for your thoughtful comments. Uh, I also live up in Juniper Terrace, and I appreciate, um, the--kind of the darkness in that area. When you leave it, uh, uh, you, you realize how much light is in some of these other neighborhoods, so. A couple of things I wanted to touch on was Commissioner Stoker brought up a lot of good things about commercial lighting. But one of the things I think since this ordinance was created was, uh, a lot of home security, uh, cameras with lighting that kicks on. And people will have that all around their property. They may have one on a side of the house that's projecting light on motion right into their neighbor's windows or whatever. And I think that that is kinda missing in this, although it could be covered under the light trespass definition for sure. But if you go down to the next page on--um, on 54 under subsection F, it, it talks

about, like, an exemption for regulated motion detection. So I think maybe we can clarify that just a little bit about home security lighting.

Um, the other aspect would be that I think is kinda missing is, uh, some--maybe some more clear timelines, uh, when there is a violation discovered. Um, how--uh, within the code, like, how long do they have to fix these things? You know? And I think that might be missing as well. But, uh, other than that, I do like the fact that, uh, the town council has encouraged more education from the town. So, uh, that would be, uh, m-more so just on that home security lighting standpoint, which I'm in super favor of. Just maybe not--uh, and I can see the fact we may go into your own backyard and your neighbor's lights kick on and light you up, right, depending on how close you're there. So just some things to think about.

Chair Thomas stated okay. Thank you. Yeah, I'm, I'm, uh, essentially in agreement with all my commissioners. Everybody's made some really good comments here for us to discuss. Uh, I won't be repetitive. Uh, I do agree with, um, uh, Vice Chair Henderson on I don't want it to be too, uh, ominous for residential, I, I, I think. But there are some common sense things that we could do, especially with the lighting, uh, you know, that kicks on automatically. I'm a big proponent of keeping the majority of lighting, uh, outdoor lighting from 3,000 Kelvins or less. I, I, I--there's a--there's definitely a d--a difference in the coloring and that bright, white, bluey, uh, color that you see, especially in the commercial divisions around here that, you know, they're doing for security or something like that. Sometimes they're just blasting out and it's just way too bright. It's not necessary. I, I agree with Commissioner Stoker on, on the, the fact that the lighting technology is changing now. So, um, we need to embrace that. Um, I will say one thing that I'm gonna--all these ordinances that we come up with are, are good that we go back and forth. And whether they're a lighting ordinance or a landscape ordinance or a sidewalk vendor ordinance, any of these ordinances, none of it's worth a darn if we're not willing to enforce it. And that's--I go right back to this thing again. All these things are really great, but if we don't enforce it, and it-- then it's just empty words as far as I'm concerned. So we have to make sure that we have a good component to enforce these things on a timely schedule, so when we do get complaints--and I'm, I'm speaking--uh, probably most of the complaints--complaints will come from commercial divisions. That's where, I think. Especially up and down the highway, stuff like that. Um, so I'd like to see something that we discuss between Council and the Planning Commission as how are we going to implement this stuff and how are we gonna enforce it so that we don't have things lagging? Um, and that's it for me. Uh, anybody else wanna make any other comments?

Commissioner Vasconcelos stated no, I, I mean, I agree with you on the, the enforcement aspect of it. I think that it's difficult when you're not staffed to have that enforced. I mean, we saw that in the--in, in a case a few months ago with a fence that was trying to be, you know, raised up and there's fencing all around the place, all, all over the location that is that high that is--wasn't in here under review because it

wasn't reported to have an issue.

Yeah. So I feel like that--I would love that to be the case that we get it enforced, but it's just one of those things. I think that we don't have--[crosstalk]--the staffing--Well, you, you know, as we--to do it.

Chair Thomas stated I know. And as we grow and--then as, as Commissioner Stoker just said--uh, you know, as the town continues to grow and expand, we're gonna have more and more things come up. I mean--And, and if we just let them go--it's, it's--uh, this--

Commissioner Vasconcelos stated yeah, I mean, I think it's--this--I think it's a, a valid reason because there's a lot of things in this town that need to ha-- I mean, I don't wanna go sideways on--enforcing--en-enforcing things, but, like, there's, there's definitely probably a need for an additional, you know, body to help, help enforce things in town.

Chair Thomas stated yeah, I would a-- I would agree with that, so. Well, that being said, uh, if there are no other comments, if you guys wanna, uh--

Commissioner Henderson stated yeah, I'll go ahead and make [crosstalk]--do a motion to receive and file, that'd be great. Uh, some great th-thoughtful discussion. I look forward to future conversation on this, but I'll make a motion to receive and file the report.

Motion:

That the Planning Commission receives and files the report, and provides any input and direction as desired.

Result: Passed (Yes 4, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

6. Land Development Update

Chair Thomas stated and we go to item number six, Land Development Update.

Senior Planner Jerome stated good evening. The, uh, recommendation on the Land Development Update is to receive and file. Um, I'll be fairly brief. There's not a ton of updates, but there are some notable ones. Uh, Tumbleweed Sanctuary is in their final stage of CEQA review, just kind of a high-level review at this point. Um, we're hoping that they can come to the Planning Commission either late next month or perhaps, uh, in September, um, depending on when that CEQA review wraps up. But they are very close. Um, CNS Chicken Bar, um, continues to make progress, and, uh,

we're hopeful to see their resubmittal soon because they're in Old Town. Um, Old Town has already had, uh, CEQA analysis performed for the district. Uh, they do not have any Joshua trees or anything like that on the site. Uh, so that one should be, uh, hopefully coming in soon, depending on when that applicant's able to resubmit. Um, and then Yucca Valley Materials Lab, um, the architect has indicated that they've finished, uh, their voluntary discussions with Fish and Wildlife about their Joshua trees and, um, will be resubmitting imminently. Um, we also hope that this is the last resubmittal for, for them, so, um, hopefully, uh, depending on what-- when that comes in, it'll be coming to the commission shortly.

Um, we do have one new project that came in at the very end of last week, which is the Circle K on 247 has now formally submitted a conditional-use permit, um, to expand their facility. Um, more pumps, I believe a bigger convenience store, um, and, uh, commercial feel-- fueling, um, as well. So, uh, bigger facility, uh, redesign. They have some traffic concerns, I think, that we've previously discussed. Um, so working on all that stuff. But, uh, we should have it posted to the website, um, sometime this week for you all to, uh, review and look at their plans. Um, anything else? I think Shane's got an update.

Deputy Town Manager Stueckle asked, you wanna update on the general plan changes that are coming down the pipeline?

Senior Planner Jerome stated so we are-- I think, as you know, we're updating the open space and conservation and safety elements for the general plan. Um, we are in the final stages of that as well. Um, they're making some tweaks. We got some comments from the Center for Biological Diversity, um, so we're reviewing, uh, their letter and seeing what changes, uh, we can incorporate if it makes sense to make, uh, changes. Um, so, uh, this-- by far the most emails I receive are for the general plan from our consultant, um, and they are working on that. Uh, I would say it's in the final stages. This is our final comment letter that we've received, hopefully. Um--

Deputy Town Manager Stueckle stated and then talk a little bout-- a little bit specifically about the Western Joshua Tree and what we're trying to do with this language, if you would, please.

Senior Planner Jerome stated um, hopefully--stop me if it gets too CEQA technical. But, um, currently, the Center for--or, sorry, uh, California Department of Fish and Wildlife, their incidental take permit, uh, ITP requires, uh, what they call a state clearinghouse number. That's the number that's assigned to a CEQA document once it's filed with the state. Um, so to apply for an incidental take permit, you have to have that number or some number to apply. Um, so we've ref-refined some mitigation measures with consultation from Fish and Wildlife to make sure they're good with it and it's usable for them as well. Because for a project that doesn't need a, uh, CEQA review by the town, Fish and Wildlife--it then falls onto them to provide that CEQA review. So they have just as much reason as we do to streamline that

process to make it easier for both us and for Fish and Wildlife, and more importantly, easier and cheaper for the applicant. Um, so the refining of that mitigation measure will allow single-family homes, kind of more standard projects that wouldn't normally go through CEQA. It gives them a document, which is our general plan EIR to put on that line where it asks for a state clearinghouse number.

So long story short, um, the EIR will cover, uh, kind of more simple projects like let's say you want to build a garage, you will not have to go through CEQA. You can what they call tier off of the town CEQA document. Um, so yeah, makes it easier for us, easier for Fish and Wildlife, and much easier and cheaper for the applicant.

And that concludes staff report.

Chair Thomas stated yes. I'm gonna open up, uh, for public comments for the staff report. Any other comments from the public?

Public speaker, Diane Hartt, stated um, I just wanted to let everyone know that I will be tabling for, um, MDLT and the night sky. I've been asked by Anne at-- uh, at the, um, Sky's the Limit to speak to the people out there that come this Saturday for the Marines. Um, I wanna give a shout out to my husband, Terry, for, um, when Enterprise Rent-a-Car, while back, had some obnoxious lights coming into the town, and Terry, um, contacted, I, I don't remember who, but got those lights taken care of and also finding out that they didn't-- they didn't even have, uh, the right restrooms for their employees. Um, I've also been in contact with some old-timers, um, Steve Bardwell, Pat Flanagan, Tom O'Kee, Lorraine Turk, and looking forward to speaking to Jerry Matos. And I will be-- I've been invited to sit at the table-- or at the booth rather, in Julian for their night sky festival. So I'm, uh, really excited for that. And I'm retired now. I was an RN case manager for hospice. And so I'll put in my job application to, um, help with, uh, enforcing the night sky if you need somebody. That's it.

Chair Thoms stated all right. Thank you. Anybody online? Okay. Close public comment. Uh, Vice Chair Henderson, you got any comments on the--

Vice Chair Henderson stated uh, just one. Um, did you ever get any contact back from Habit Burger, or were they just a complete pullout?

Senior Planner Jerome stated they, as far as we know, were a complete, uh, pullout, as you said. Um, once they switched to Quick Quack, I don't think we heard much about Habit Burger.

Vice Chair Henderson stated okay, thank you.

Deputy Town Manager Stueckle stated our understand--or my understanding is the franchisee, which would've operated the Yucca Valley location, turned down the opportunity and was not interested in having the franchise at this location.

Chair Thomas stated okay. Thank you. Commissioner Stoker.

Commissioner Stoker stated, yeah. Um, would, would that EIR you're talking about as part of the general plan also apply to, like, smaller multifamily type of projects? Three and four unit apartments or?

Senior Planner Jerome stated off the top of my head, um, I believe it did apply to smaller projects. What do we call technically? I believe it applies to smaller, uh, multifamily ones that don't require discretionary review. But, uh, I'll double-check that.

Commissioner Stoker stated, but I feel like even like a three--a three-unit wou--came--uh, came in front of the Planning Commission for a site plan review or something, four? Uh, four or more? Okay. All right. Well, that's cool. Thank you.

Chair Thomas stated Commissioner Vasconcelos.

Commissioner Vasconcelos stated, no further comments.

Chair Thomas stated okay. Well, then I'll-- uh, I'll make a motion to go ahead and receive and file. I can get a second.

Motion:

That the Planning Commission receives and files the report.

Result: Passed (Yes 4, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner James Henderson

Ayes: James Henderson, Clint Stoker, Alejandro Vasconcelos, Mathew Thomas

Future Agenda Items

Chair Thomas stated uh, future agenda items. You kinda rattled off a bunch of them already, but.

Senior Planner Jerome stated I'll re-rattle real quick. Tumbleweed Sanctuary, CNS, Yucca Valley Materials Lab. And then, uh, we're working on those various internal projects that we talked about.

Chair Thomas stated okay. Thank you.

Public Comments

Chair Thomas stated all right. Uh, we move to public comments. The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda.

CHAPTER 8.70

OUTDOOR LIGHTING

SECTION:

8.70.010: Purpose And Intent

8.70.020: Definitions

8.70.030: Outdoor Lighting Fixtures

8.70.040: Exemptions

8.70.050: Administration And Enforcement

8.70.060: Penalties

8.70.010: PURPOSE AND INTENT:

It is the purpose and intent of this Chapter to establish regulations and standards which will assist in substantially reducing light pollution which can be generated from commercial and residential lighting fixtures and devices; to minimize light pollution which has a detrimental effect on the environment and the enjoyment of the night sky, to reduce and minimize lighting practices which cause unnecessary illumination of adjacent properties, and to implement the Yucca Valley General Plan, Community Design Element, Policy 12, Program 12.A and Program 12.B. (Ord. 90, 3-19-1998)

8.70.020: DEFINITIONS:

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. Words used in the present tense include the future, words in the plural number include the singular number, and the words in the singular number include the plural number. Words not defined shall be given their common and ordinary meaning.

ARCHITECTURAL LIGHTING: Lighting which is either directed towards a residence with the intent of highlighting an architectural feature or a light fixture which is architecturally ornamental in nature or purpose.

ATTACHED LIGHTING: A light fixture that is attached to a building.

FIXTURE: The assembly that holds the lamp and may include an assembly housing, a mounting bracket or pole socket, lamp holder, ballast, a reflector or mirror and a refractor or lens.

FREESTANDING LIGHTING: A light fixture which is not attached to a building.

FULLY SHIELDED: Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property.

LIGHT TRESPASS: Nuisance glare from any lighting onto neighboring property that interferes with viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures. Quantitative measurement of light trespass shall be with a standard yard stick (3 feet x 1¹/₂ inches). The yard stick shall be placed at the building setback line in the complainant's yard. The yard stick shall be in contact with the ground and in a vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yard stick and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky.

NEW CONSTRUCTION: New lighting fixtures and/or new building(s) with outdoor lighting.

NIGHT SKY: A clear sky, with visible stars, despite necessary or desired illumination of private and public property.

PEDESTRIAN LIGHTING: Freestanding lighting fixtures not exceeding a height of thirty six inches (36") from ground grade level. (Ord. 90, 3-19-1998)

8.70.030: OUTDOOR LIGHTING FIXTURES:

A. Single-Family And Multi-Family Residential Land Use Districts: The following standards are applicable to all structures located within single-family and multi-family residential land use districts as identified on the Official Yucca Valley Zoning District Map:

1. Existing Structures Located In Single-Family And Multi-Family Residential Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any residential land use district, as identified on the Official Yucca Valley Zoning Map, and which properties are used for residential purposes which are nonconforming, shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Should it be determined that a nonconforming lighting fixture results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

2. New Construction And New Lighting In Single-Family And Multi-Family Residential Land Use Districts: Any new construction and or new lighting located in any residential land use district, as identified on the Yucca Valley Zoning Map and which properties are used for residential purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or right of way.

B. Commercial And Industrial Land Use Districts: The following standards are applicable to all structures located within commercial and industrial land use districts as identified on the official Yucca Valley Zoning District Map:

1. Existing Structures Located In Commercial And Industrial Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for any commercial or industrial purpose, which are nonconforming shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Should it be determined that a nonconforming lighting fixture results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

(1) In those cases where light trespass exists and has been determined to be a nuisance, the Community Development Director may grant additional time for the property owner to remedy the light trespass where a hardship exists and the following findings can be made. Hardship shall mean that there is a degree of difficulty in accessibility to the fixture, financial difficulty or cost of correcting the light trespass, degree of light trespass or other similar issues.

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood.

(B) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

c. Fifty percent (50%) of all nonconforming lighting fixtures within parking lots or within open lot sale areas shall be turned off within one hour after closing or between the hours of eleven o'clock (11:00) P.M. and sunrise, whichever occurs first.

(1) In those cases where turning off fifty percent (50%) of the nonconforming lighting fixtures would constitute a hardship, the Director may grant an administrative exemption based on the following findings:

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood;

(B) The strict application of this Chapter would deprive the applicant reasonable use of the land, buildings or outdoor fixtures;

(C) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

2. New Construction And New Lighting In Commercial And Industrial Land Use Districts: Any new construction located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for commercial and industrial purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or rights of way.

C. Recreation Facilities, Public And Private: The following standards are applicable to all structures:

1. There shall be no illumination of private recreational facilities between the hours of eleven o'clock (11:00) P.M. and sunrise.

2. There shall be no illumination of public recreational facilities unless the facilities are being utilized. The illumination must be turned off no later than eleven o'clock (11:00) P.M. or one hour after the termination of the event and/or use, whichever occurs first.

D. Off-Site Signs (Billboards) And Exterior Illuminated On-Site Signs: Lighting fixtures used to illuminate any new off-site sign and exterior illuminated on-site signs shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this Chapter. (Ord. 90, 3-19-1998)

8.70.040: EXEMPTIONS:

The following outdoor lighting fixtures are exempt from the requirements of this Chapter:

A. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.

B. All neon outdoor lighting fixtures.

C. All outdoor lighting fixtures on facilities or lands owned, operated or controlled, by the United States Government, State of California, County of San Bernardino, Morongo Unified School District, Southern California Edison or any other public entity or public agency, not including the Town of Yucca Valley. Voluntary compliance at those facilities is encouraged.

D. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.

E. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situations.

F. Provided there is no light trespass, or the lighting fixtures are regulated by motion detector, lighting fixtures within five feet (5') of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet (8') and a wattage exceeding 75 watts.

G. Internally illuminated signs.

H. Holiday lighting fixture displays.

I. Architectural lighting whether it is freestanding or attached to a building which does not exceed an intensity of 40 watts.

J. Pedestrian lighting which does not have an intensity greater than 40 watts.

K. Vertical lighting for a properly displayed U.S. flag which does not exceed an intensity of 140 watts. (Ord. 90, 3-19-1998)

8.70.050: ADMINISTRATION AND ENFORCEMENT:

A. The Director of the Community Development Department, or his designee, shall administer and enforce the provisions of this Chapter. Any person who wishes to appeal any order, decision, or determination made by the Director shall do so in accordance with this Code.

B. All existing exterior lighting fixtures, poles or sources shall comply with the requirements for permits as specified in the Uniform Building Code and/or the National Electrical Code.

C. From time to time, the Community Development Director may recommend, and the Town Council may adopt by resolution, as deemed necessary, rules and regulations to implement the provisions of this Section. Such rules and regulations shall have force of law and failure to comply shall be considered a violation of the provisions of this Chapter. The rules and regulations to be adopted shall be implemented with the following intent:

1. Maintain the health and safety of persons and property within the Town;

2. Avoid undue disruption of persons and traffic within the affected areas of the Town. (Ord. 90, 3-19-1998)

8.70.060: PENALTIES:

It shall be unlawful for any person to violate any of the provisions of this Chapter.

A. Any person who violates the provisions of this Chapter shall receive a correction notice for the first violation for each given year. The notice shall specify the nature of the offense, the date of occurrence and required correction as established by this Chapter.

B. Any person subsequently violating or causing or permitting the violation of any of the provisions of this Chapter within one given year shall be guilty of an infraction which shall be punishable in accordance with Chapter 1.02 of this Code. (Ord. 90, 3-19-1998)



DarkSky International

2026 U.S. Municipal Code for Outdoor Lighting

February 20, 2026 – Version 1.1

Introduction

This DarkSky International (DarkSky) template provides outdoor lighting requirements for any local government (e.g., county, municipality) seeking to enact responsible outdoor lighting code (i.e., ordinance, bylaw). The language and requirements herein are a proven approach to mitigate light pollution and other misuses of artificial light at night. Such misuses threaten visual performance and human safety at night, brighten the naturally dark sky, waste valuable energy resources, and may damage nocturnal ecosystems or cause adverse biological health disruptions. The requirements work together holistically to meet the Five Principles for Responsible Outdoor Lighting co-authored by DarkSky and the Illuminating Engineering Society.

Instructions for Use

Narrative written in *[Blue + Italicized font]* are instructions intended for the user, including why a topic is being addressed, and, when applicable, optional requirements or choices. The language within this template will assist advocates and municipal staff members draft appropriate language. Narrative in **[red brackets]** requires the insertion of an appropriate name, term, value, or date depending on local conditions.

Before completion, it is recommended to gather input from key stakeholders (e.g., law enforcement, staff, community, utilities) so all perspectives are considered. The intent is for options to be selected that best fit the passion, identity, and goals of the local community while still meeting DarkSky recommendations. Upon completion, unused options and user instructions should be deleted to keep the document concise.

DarkSky Recognized Program

A program is available for any jurisdiction seeking to have their outdoor lighting code recognized by DarkSky International. For questions regarding this program, contact the [DarkSky Lighting Program Manager](#).

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[MUNICIPALITY] OUTDOOR LIGHTING CODE

Note: Italicized and capitalized words and phrases are defined in section 4.0 Definitions.

1.0 PREFACE

1.1 Authority

On behalf of [municipality], this outdoor lighting code is enacted on [date] pursuant to, and in accordance with, the authority of the [city council].

1.2 Purpose

[Municipal code for outdoor lighting should first establish a purpose and intent for having one. This information is important for future decision makers who will be faced with new and unique variance requests. While preamble and background narratives are not usually accepted as code or bylaw, recitals are an effective way to incorporate background and intent. Recitals must be factual, not general, and kept to a minimum.]

A. Outdoor lighting requirements are intended to protect the health and welfare of all residents within the jurisdiction, enhance its [character and quality of life], prevent inappropriate and poorly installed outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of potentially harmful sky glow, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. The *Five Principles for Responsible Outdoor Lighting* will guide [municipality]'s outdoor lighting decisions because:

1. Whereas, outdoor uses of *artificial light at night (ALAN)* often include misdirected or bright sources of light that cause an unsafe reduction in human visual performance; and
2. Whereas, unnecessary, excessive, and misdirected *ALAN* contributes to *Light Pollution* and wastes energy resources that would, if corrected, generate tangible cost savings; and
3. Whereas, increased use of *ALAN* has contributed to an escalation of *Light Pollution*, thus increasing the brightness of the night sky by 10% annually and rendering the current night sky orders of magnitude (often hundreds of times) brighter than the natural sky background; and
4. Whereas, *Light Pollution* from *ALAN* is known to cause adverse effects on the health and well-being of birds, wildlife, nocturnal ecosystems, vegetation, and under certain circumstances, human health;
5. Now, therefore, let it be resolved that the [municipality], which has the authority to protect natural resources and maintain a healthy environment for present and future generations, chooses to enact this outdoor lighting code *[the following is optional and not required for DarkSky Recognition, but highly recommended:]* and hereby assign the following *Lighting Zones* to all property within the [municipal] boundaries:

[Insert table or map] [See Appendix B for example formats.]

[Assignment of Lighting Zones by the jurisdiction will enable appropriate and coordinated Light Levels based on land use tasks (not property values), avoid subjectivity, and establish a thoughtful hierarchy of lighting conditions across the jurisdiction. ANSI/IES RP-43-25, Appendix A, and Appendix B provide guidance on how to establish lighting zones.]

1.3 Applicability

- A. This outdoor lighting code shall apply to all sources of outdoor lighting being installed, altered, or replaced within [municipality]. This includes, but is not limited to, newly permitted development, remodels, and construction projects involving homes, dwellings, roadways, public right-of-way, [signage, billboards] buildings, facilities, properties, landscape features, parking lots, hardscape, non-habitable structures, and monuments.
- B. Existing outdoor lighting lawfully installed prior to enactment and not meeting the requirements of this code shall be considered legal and repairable but non-conforming. All non-conforming *Luminaires* may continue to be used and maintained until one of the following occurs:
 - 1. A determination by the [code official] that an outdoor light source constitutes a nuisance or hazard to public safety.
 - 2. When a property is re-zoned for new land use, at which time all outdoor lighting on the property shall meet the requirements of this code before the new use commences.

1.4 Exemptions

- A. **Lawful:** Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the [municipality], including but not limited to:
 - 1. Navigational lighting systems regulated by the Federal Aviation Administration and the US Coast Guard.
 - 2. Any conflicting building code or Department of Transportation illumination requirements.
 - 3. Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
- B. **Safety:** Lighting installed for the benefit of public safety, including but not limited to:
 - 1. A judgement by the [code official] that extenuating circumstances justify an exemption or exception for security lighting.
 - 2. Temporary lighting required by authorized first responders during emergency procedures.
- C. **Temporary Lighting:** Temporary lighting approved by permit for special events, festivals, and/or community benefit, provided the permitted lighting still meets Sections 2.1(A) legality, 2.1(C)(2) light trespass, and Section 2.1(D) control requirements.
 - 1. Temporary permits shall not operate longer than [14] consecutive days.
- D. *[Option without penalty to DarkSky Recognition status:]* **Seasonal:** *Seasonal Lighting* used from [date] to [date]. *[While some municipalities will choose to make this exempt, it may be better to prescribe seasonal lighting requirements to guide the desired outcome. See Section 2.4.]*

1.5 Prohibitions

- A. *ALAN* must not interfere with the safe movement of motor vehicles. Any lighting that distracts or disables the vision of a motor vehicle operator (e.g., excessively bright or rapid blinking, flashing, and/or motion video) or contributes to traffic control confusion (e.g., sources resembling or imitating traffic or railroad signals) is prohibited.
- B. Beacons and searchlights are prohibited, except for emergency use by authorized first responders.

2.0 REQUIREMENTS

2.1 General

- A. Legality:** All outdoor *Luminaires* and *Luminaire* installations shall comply with federal and state law; county and municipal codes; applicable energy and building codes; product safety labeling; and shall be subject to the appropriate permit and inspection requirements thereof.
- B. Light Level:** *[As stated in the five principles for responsible outdoor lighting, installed lighting at night must have a purpose. For example, if roadway lighting is necessary and installed, it should be evaluated against roadway lighting standards. For that reason, we are explicitly identifying any lighting installed for “an” outdoor use, so that it is not evaluated against adjacent criteria.]* Unless otherwise specified, lighting installed for an outdoor use shall not exceed 50% more than the *Light Level* allowed by the applicable ANSI/IES, or other nationally recognized, *Lighting Standard* as published by [date].
1. Exception: Non-Residential lighting when no *Luminaire* installed on the property exceeds a total output greater than 3,000 *Lumens*.
- C. Distribution**
1. **Uplight and Very High Angle:** Unless otherwise specified, *Luminaires* emitting more than 1,000 *Lumens* shall be *Zero Uplight* and either emit no more than 5% of their total *Lumen* output above 80 degrees from *Nadir* or achieve a maximum *G2* rating. Exceptions are:
 - a) *Luminaires* that are part of a historical registration site or approved by the municipality for commercial, central business, and entertainment corridors emitting fewer than 500 lumens above 90-degrees from *Nadir*.
 - b) Festoon string lighting where no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot. *[This will restrict some medium-base line-voltage products that are not recommended unless they are shielded.]*
 - c) *Luminaires* used for façade illumination which are shielded and aimed, such that their direct light emission is contained to the architectural target.
 2. **Trespass:** Unless otherwise specified, *Light Trespass* shall meet the following:
 - a) *Luminaire* lamp sources shall not be visible from federal or state wilderness, natural area, or other areas designated for environmental protection; and therefore, *Light Trespass* shall not exceed one-tenth (0.1) *Lux*.
 - b) *Light Trespass* onto Waters of the United States shall not exceed one (1) *Lux*.
 - c) *Light Trespass* onto Residential property shall not exceed three (3) *Lux* when measured 5 meters (15ft) inside the property/easement line or at the dwelling façade, whichever distance is closest to the property/easement line.
 - d) *Light Trespass* onto public right-of-way shall not exceed five (5) *Lux*.
- D. Controls:** Unless otherwise specified, lighting installed for outdoor uses shall meet the following requirements during *Nighttime Curfew*:
1. When applicable, outdoor lighting shall dim or be extinguished as prescribed by the adopted energy code.

2. *Non-essential* outdoor lighting, including but not limited to landscape features and decorative lighting elements, shall be extinguished or dimmed by at least 50 percent.
 3. *Luminaires* activated by motion detection shall automatically return to their prior state no greater than **[5]** minutes after activity is no longer detected.
- E. Spectrum:** Unless otherwise specified, the maximum allowable correlated color temperature (CCT) for outdoor *Luminaires* is 3000 K. *[Because blue light is more apt to scatter locally in the atmosphere, it is prone to being redirected back toward earth as a physical manifestation of sky glow. This veil of sky glow reduces the visibility of stars within the natural nighttime sky, and the increased illumination may disrupt biological and ecological health. A CCT of 3000 K is the highest recommended baseline criterion. Some communities may choose, or be accustomed to, 2400 K.]* Exceptions are:
1. Public safety needs supported by cited documentation.
 2. Non-white light sources are allowed for decorative illumination of building facades, landscape features, and entertainment effect. *[Saturated color in the outdoor environment should have limited use.]*

2.2 Residential

- A.** The following requirements are supplemental to the General Outdoor Lighting Requirements (**Section 2.1**) and shall further regulate outdoor lighting on *Residential* properties that do not exceed a density of 36 dwellings per acre.
1. No *Luminaire* shall exceed 1,000 lumens of total output.
 2. Adjustable flood light *Luminaires* mounted to roofed structures shall be controlled (i.e., turned on and off) by motion detection.
 3. *[Because residential lighting is a major contributor to skyward light pollution, it is very important to require one of the following methods to limit lumen usage while maintaining a safe and equitable use of light. Depending on the municipal tolerance for complexity, select one of the following options which range from a basic default value without lighting zone assignments to more refined allowances based on common residential applications, tasks, and diminishing allowances for larger lots.]*
 - ☐ The installed lumen allowance shall not exceed 11,800 lumens per acre of lot area.
 - ☐ The installed lumen allowance shall follow the values shown in **Table 2.2**. For multi-family development, lot size shall be calculated for each dwelling unit by dividing the total lot size by the number of dwelling units on the lot:

TABLE 2.2: RESIDENTIAL LUMEN ALLOWANCE PER DWELLING UNIT (If lighting zones are not assigned, use Lz1)					
Dwelling Unit Lot Size			Lz0	Lz1	Lz2
(acre)	(sq feet)	(sq meters)			
1.33+	58,000	5400	5,100	12,750	25,500
1.00	43,500	4040	4,700	11,800	23,600
0.75	32,500	3020	4,250	10,600	21,200
0.50	21,750	2020	3,500	8,700	17,400
0.33	14,375	1325	2,750	6,800	13,600
0.25	10,800	1000	2,250	5,600	11,200
0.20	8,700	800	1,900	4,750	9,500
0.13	5,400	500	1,325	3,300	6,600
0.05	2,175	200	610	1,525	3,050
0.03	1,200	110	360	890	1,780

Examples:

- Single Family: A Lz1 dwelling located on a lot of 9,000 sf will use the be allowed 4,750 lumens based on the lot threshold that has been met (8,700 sf).
- Multi-Family: 32 townhome units on a 3.2-acre development will equal 4,356 sf (i.e., 0.10 acres) per dwelling. Therefore, each dwelling is allowed 1,525 lumens when located in Lz1.
- Multi-Family: 70 apartment units on a 2-acre development equals 0.02 acres per dwelling. Therefore, the dwelling density is too high, and lumen limits are not applicable. Therefore **Section 2.1(B)** must be used.

□ *[This formula is the most exact method for calculating residential lumen limits.*

This method is also the background math behind the allowances listed in Table 2.2.] The installed lumen allowance may be calculated using the following formula:

$$\text{Residential Lumen } AL_{\max} \cdot (1 - e^{-kA^p})$$

$L_{\max}$ = lumen density value based on *Lighting Zone*: 5,600 (Lz0); 14,000 (Lz1 default); 28,000 (Lz2)

e = Euler's natural logarithm (approx., 2.71828)

A = square footage being allocated for a dwelling unit after the total lot size (sf) is divided by the number of dwelling units on that lot.

$p = 0.93$ (the reducing rate of lumen rise as lot size increases)

$k = 0.00009$ (the magnitude of allowable lumens relative to lot size)

- B. Sport and recreational lighting on *Residential* property are exempt from the requirements of **Section 2.2(A)** provided it meets the requirements of **Section 2.3(A)(1)**.

2.3 Sports Lighting

- A. The following requirements are supplementary to the General Outdoor Lighting Requirements (**Section 2.1** and its subsections) and shall further regulate outdoor sport and recreational lighting.
1. **Residential Use:** *[Allowing Residential sport court lighting at night is a choice. Many benchmark communities do not allow the illumination of sport courts when located on Residential property to avoid neighborhood complaints.]*
 - a) Unless otherwise approved by permit, lighting installed for *Residential* sport and recreational courts shall not exceed 300 *Lux* illuminance average, or 10% more than the *Light Level* recommended by ANSI/IES RP-6 Class 4 "Class of Play" as published by [date].
 - b) Lighting for sport and recreational play on *Residential* property shall be extinguished during *Nighttime Curfew*.

2. **Park, Amateur, Collegiate, Professional, and Outdoor Entertainment Facility:** *[The following requirements are a subset of the DarkSky Approved Outdoor Sports Lighting Facilities program. These criteria have been proven to create safe playing fields while also mitigating problematic light pollution. DarkSky Approved Sports Lighting Facilities would meet these requirements.]*
- a) Eighty-five percent (85%) of the lumens generated by sports lighting luminaires shall be confined to within 10 meters (33 feet) or a distance equal to one pole height, whichever is greater, beyond the playing field, spectator track or bleacher area, whichever is greater.
 - b) Lighting installations for aerial sports are allowed a maximum of 8% of the total lumen output to be emitted above 80 degrees from *Nadir*.
 - c) The maximum *Light Level* shall not exceed 10% more than the *Light Level* recommended for the “Class of Play” by the referable *Lighting Standard*.
 - d) The maximum *CCT* for outdoor sports lighting should be the lowest possible for the sport, class of play, and viewing audience as defined by the relevant *Lighting Standard*, while never exceeding 5700 K.
 - e) The maximum luminous intensity from any *Luminaire* lighting a sports field shall not exceed 10,000 *candelas* (cd) as calculated using computer software or measured along a perimeter that is 46 meters (150 feet) from the edge of the field, at 1.5 meters (5 feet) above grade. *[This requirement is considered the minimum guideline for glare reduction because sports lighting can be 85% contained, meet light trespass illuminance requirements, and still produce obtrusive brightness in the surrounding properties that cause an individual to uncomfortably squint or turn away. There are many LED products with shielding and optical control that can meet this requirement. The design process and installation crews can validate this measurement on behalf of the municipality. When post-installation measurement is difficult, third party sources can take these measurements.]*

2.4 **[Additional Specialty Lighting Requirements Available:]**

[Supplemental outdoor lighting requirements are available for specialized uses and applications. These requirements can be found at <https://darksky.org>, and are intended for insertion into the outdoor lighting code starting with section 2.4. The specialized uses and applications that are available include:]

- A. *[Seasonal Lighting]*
- B. *[Illuminated Signage]*
- C. *[Coastal Marine Turtle Habitat]*

3.0 COMPLIANCE PROCESS

3.1 Application

- A. **Submittal:** Whenever a building, subdivision, site plan, or outdoor building/lighting permit is applied for, an outdoor lighting plan must be submitted along with a compliance statement that the proposed work will comply with all code requirements. The outdoor lighting plan must utilize one of the following:

1. **Schedule Method:** Only available for renovation and *Residential* lighting; projects to be documented using a spreadsheet format by listing the *Luminaire* identifications (i.e., manufacturer, model number, type), *Luminaire* quantities, installation locations, and *Lumen* outputs for each; or
2. **Calculation Method:** Available for all project types, required for sports lighting (e.g., park, collegiate, professional), and when specifically requested by the [planning commission]; an outdoor lighting design shall be prepared using lighting design software and approved by a licensed Professional Engineer or Architect. *[Note: In Europe and the UK, lighting designers are not required to get lighting design plans approved by another entity]* This outdoor lighting plan shall include:
 - a) *Luminaire* identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site that could affect the lighting outcome.
 - b) Site plan and *Light Level* calculation plots demonstrating conformance with this code, including the sports lighting luminous-intensity and *Light Trespass* limits.
- B. **Review:** Submitted spreadsheets, site lighting plans, and compliance affidavits shall be subject to review and approval by the [administrator], or designee. The [administrator] shall have the authority to refer an application to the [planning and zoning commission] or the [historic commission] if deemed appropriate.
- C. **Appeals:** Any appeals related to decisions regarding outdoor lighting shall be made to the [administrator], or designee.

3.2 Enforcement and Penalty

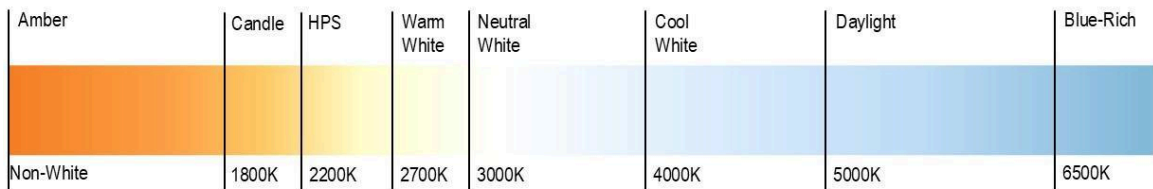
[Each municipality will have its own code and/or regulations from which to cite specific references on enforcement and penalties. This section should be tailored to cite those specific sections as applicable to ensure enforcement and that penalties can be administered.]

- A. **Enforcement:** Unless otherwise noted, the [administrator], or designee, shall be responsible to implement, administer, and enforce this code, including investigations of alleged violation. A private right of action may also constitute enforcement of the requirements within this code.
 1. The [administrator] charged with enforcing this code shall have the authority to grant partial waiver of specific requirements for up to one year if a property owner demonstrates that compliance creates unreasonable hardship, as balanced against the potential impacts of non-compliance, or results in conditions that are materially detrimental to health, safety or welfare.
- B. **Penalty:** Any property owner (e.g., person, business, corporation) that does not meet the requirements of this code shall be in violation and issued a notice of administrative citation as provided by the jurisdiction code. Any property owner found to have violated any portion of this code shall correct the violations within [ninety (90)] days of the citation date. Each day a violation continues beyond the deadline without having been corrected shall be a separate offense. *[For municipalities without standard citation penalties or injunctive relief, a monetary fine is recommended for each citation.]*

3.0 DEFINITIONS

3.1 The following definitions apply to terms used within this code:

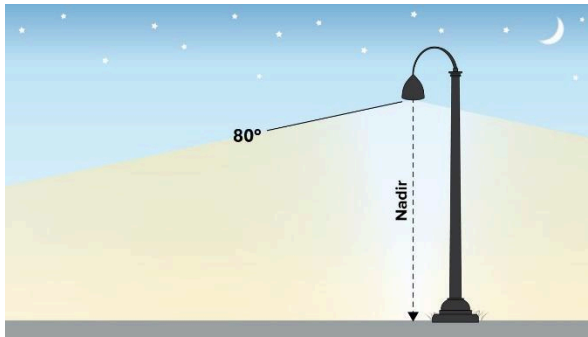
- A. ANSI/IES:** The Illuminating Engineering Society (IES) is an American National Standards Institute (ANSI)-recognized Standards Development Organization. ANSI/IES Recommended Practices are universally recognized as authoritative references for lighting applications.
- B. ALAN (artificial light at night):** Light that is created from human technology, rather than a naturally occurring process. Also known as anthropogenic lighting.
- C. Candela (cd):** The unit of measure for luminous intensity.
- D. CCT (correlated color temperature):** The measured color appearance of white light using units of kelvin (K). Lower CCTs (1800 K to 2200 K) appear very warm or amber. Medium CCTs (2700 K to 3000 K) appear warm white, similar to standard incandescent bulbs. High CCTs (4000 K and higher) appear cool white or daylight blue.



- E. DarkSky Approved Outdoor Sports Lighting:** A standalone program put forth by DarkSky International to guide and/or certify sports lighting that meets stringent glare and *Light Trespass* requirements.
- F. Five Principles for Responsible Outdoor Lighting:** Co-authored and published by DarkSky International and the Illuminating Engineering Society: 1) Use light only if needed; 2) distribute light only where it is needed; 3) use light that is no brighter than needed; 4) control light so it is on only when needed; and 5) use warmer color light when possible.
- G. G2 Rating:** A *Luminaire* fabricated or shielded in such a manner that its light emission profile has achieved a G2 rating using the ANSI/IES TM-15-20 standard.
- H. Light Level:** The measured luminous flux (illuminance) onto a surface or the intensity of light emitted from a surface (luminance) in a given direction. Typically measured and compared to values recommended by the appropriate *Lighting Standard*.
- I. Light Pollution:** Excessive or unnecessary *ALAN* traveling into areas where it is not needed or wanted. This can be in the form of *Light Trespass*, glare, or sky glow.
- J. Light Trespass:** Unwanted *ALAN* entering property without permission. Illumination limits are measured vertically 1.5 meters (5ft) above grade with the meter aimed toward the light source in question. Unless otherwise specified, limits are measured at any location along a property line.
- K. Lighting Standard:** A published lighting standard, including date or version number, which can be referenced for outdoor lighting applications. Examples include:
 - 1. ANSI/IES RP-2: outdoor retail spaces
 - 2. ANSI/IES RP-6: outdoor sports and recreational areas
 - 3. ANSI/IES RP-7: outdoor industrial areas
 - 4. ANSI/IES RP-8: roadway and parking facilities
 - 5. ANSI/IES RP-40: port terminals

6. ANSI/IES RP-43: outdoor pedestrian applications

- L. **Lighting Zone:** Co-authored by IES and DarkSky, lighting zones describe the luminous environment and related lighting conditions based on land uses and expected tasks. These range from natural and intrinsically dark zones to very bright zones. Definitions and descriptions of lighting zones can be found in ANSI/IES RP-43-25 and Appendix A.
- M. **Lumen (lm):** A unit of measure for the luminous flux of a light source.
- N. **Luminaire:** A complete lighting unit, including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination.
- O. **Lux (lx):** The SI metric system unit of measure for illuminance.
- P. **Nadir:** A downward vertical vector directly beneath a luminaire, opposite to zenith.



- Q. **Nighttime Curfew:** The time between [10] PM and sunrise, or 6 AM (whichever comes earlier). For businesses and events with operating hours later than [10] PM, curfew hours will begin one hour after closing.
- R. **Non-essential:** Lighting that is not directly associated with security, motor vehicle safety, and pedestrian threats, including but not limited to: landscape feature lighting, illuminated signage or advertising after business hours, façade lighting, vacant sports fields, and seasonal lighting.
- S. **Residential:** Municipal zoning districts dedicated to places of low-rise (i.e., 3 stories or less) human residence and dwelling. Examples include single family, duplex, multi-family, condominium, townhome, and mobile home. This does not include vertically mixed-use districts.
- T. **Seasonal Lighting:** Outdoor or site lighting that is portable, temporary, decorative, and used in connection with holidays and traditions. This includes but is not limited to string lighting, icicle lighting, and lighted inflatables, none of which are intended for general illumination.
- U. **Shielding:** A *Luminaire* design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.
- V. **Zero Uplight:** An installed *Luminaire* that does not have visible light source emission at or above a horizontal plane passing through the lowest light-emitting part of the *Luminaire*; or a U0 BUG rating; or a 0% upward light ratio (ULR).

APPENDIX A – LIGHTING ZONE SUMMARY

Illuminance recommendations within ANSI/IES standards may be based on different luminous environments as expected and/or predicted by different land uses and their associated tasks. These luminous environments, defined as lighting zones, are described within ANSI/IES RP43-25. The following table is an abbreviated list of lighting zone descriptions and provided as a condensed summary.



ANSI/IES RP43-25 Table B-1

Scotopic	NLz	NATURAL CONDITIONS w/ NO ANTHROPOGENIC LIGHT: Applies to areas where the natural environment is adversely affected by anthropogenic lighting at night. <u>Land Use Examples:</u> Any area where the protection of the natural nighttime environment is critical. This includes wilderness, backcountry, natural parks, preserves, protected wildlife areas, and sizable areas surrounding observatories.
	Lz0	PROTECTED AREA w/ VERY LOW ANTHROPOGENIC LIGHT: Characterized by predominantly dark areas where there is a limited built environment for human use. Responsible lighting decisions in these areas should protect the natural environment to the greatest extent possible. <u>Land Use Examples:</u> Conventional outdoor agricultural and residential uses in rural areas. Frontcountry areas adjacent to NLz. Municipal parks with low pedestrian activity. Natural area amenities within or adjacent to NLz, including visitor centers, lodges, employee housing, and park operation facilities.
Mesopic	Lz1	DEVELOPED AREA w/ LOW ANTHROPOGENIC LIGHT: Applies to areas of human habitat and other developed areas where too much anthropogenic light could affect the quiet, dark character of the area. Minimal illuminated signage is used or expected. <u>Land Use Examples:</u> Single and low-rise multi-family residential uses. Rural town centers and low pedestrian volume institutional (e.g., church, campus, public use), commercial. Light industrial, including controlled agriculture with greenhouses illuminated at night. County and municipal parks with low and moderate pedestrian activity.
	Lz2	DEVELOPED AREA w/ MODERATE ANTHROPOGENIC LIGHT: Applies to municipal areas intended for commerce, recreation, and moderate nighttime activity where light may be needed for increased mobility and convenience. Lighting informs users and helps navigation tasks with moderate signage. <u>Land Use Examples:</u> Residential uses with moderate or high pedestrian volume. Moderate pedestrian volume commercial corridors and suburban town centers. Moderate pedestrian volume institutional (e.g., campus, hospitals, public use) and parks. Moderate industrial uses. Areas may be adjacent or within Lz3 areas.
Low-Photopic	Lz3	DEVELOPED AREA w/ HIGH ANTHROPOGENIC LIGHT: Applies to larger volume city centers, commercial, and entertainment corridors where signage competes to attract users. Anthropogenic lighting is continuous for convenience, safety, and to support nighttime activity. <u>Land Use Examples:</u> Commercial corridors, central business districts, entertainment/hospitality districts, and sports arenas in urban areas with high pedestrian volume. Heavy industrial and transportation facilities with nighttime operations.
	Lz4	LIMITED USE AREA w/ VERY HIGH ANTHROPOGENIC LIGHT: The highest risk for adverse ecological effects. Applies to rarely used tourism areas recognized and accepted for their use of lighting at night for attraction and entertainment. Typically contained within a larger Lz3 area. <u>Land Use Examples:</u> Specially designated urban entertainment, hospitality, and retail areas designated by planning authorities. There is significant competition amongst illuminated signage and a very high volume of pedestrian and vehicular traffic at night.

Purpose: Lighting zone classifications are designed to help protect the natural environment from unintended consequences of excessive or misapplied light at night. Used as a municipal design and planning tool, lighting zones have become the foundation for countless illuminance recommendations and many auxiliary design and energy standards. Adoption of lighting zones can help balance environmental and community goals by recommending appropriate illuminance levels for the expected tasks.

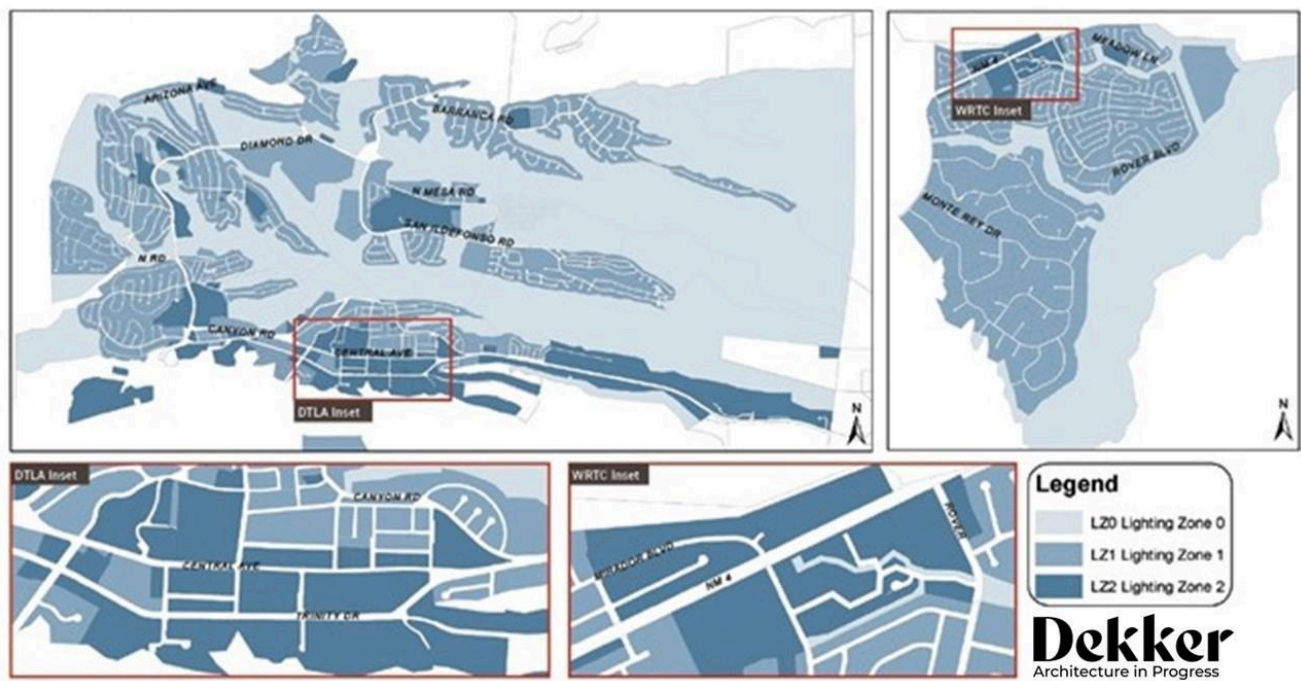
Instructions: Using the available descriptions and land use examples, users should assign the lowest and most aspirational lighting zone possible to public and private properties within the municipality. This effort will direct lighting designers and specifiers toward safe and responsible illuminance criteria set forth by ANSI/IES.

APPENDIX B – LIGHTING ZONE DESIGNATION EXAMPLES

Table Format Example

Lighting Zone Designations by Land Use																		
Zone District	Residential						Mixed-Use				Non-Residential							
Lighting Zones	R - A	R - 1	R - T	R - M C	R - M L	R - M H	M X - T	M X - L	M X - M	M X - H	N R - C	N R - B P	N R - L M	N R - G M	NR-PO			
															A	B	C	D
NLz																X ¹	X ¹	
Lz0	X ³	X ³	X ³	X ³	X ³		X ³								X ²	X ²	X ²	X ²
Lz1	X	X	X	X	X	X ⁴	X	X ⁴	X ⁴	X ⁴	X	X	X	X	X			X
Lz2						X		X	X	X	X ⁵			X ⁵	X ⁶			
Lz3									X ⁵	X ⁵					X ⁷			
Notes: [1] NLz is required in NR-PO zones for open space where no anthropogenic light is allowed. [2] Lz0 is required in NR-PO zones for open space where artificial light is needed during nighttime hours. [3] A lower lighting zone is required on subject properties with sensitive lands. [4] A lower lighting zone is required on subject properties adjacent to low-density uses. [5] A higher lighting zone is allowed unless the subject property is adjacent to any residential zone district. [6] Lz2 is allowed in parks with high pedestrian activity and many amenities. [7] Lz3 is allowed in parks containing nighttime stadiums or entertainment activities.																		

Map Format Example



Chapter 19.78 - Lighting Standards

19.78.010 - Purpose

This Chapter establishes lighting standards to encourage effective, nondetrimental lighting; maintain nighttime safety, utility, security and productivity; and encourage lighting practices and systems which will minimize light pollution, glare, and light trespass, conserve energy and resources and curtail the degradation of the nighttime visual environment of the areas outlined below.

19.78.020 - Applicability

The regulations contained in this Chapter shall apply to all projects as follows:

- A. New Uses and Buildings. For all buildings erected and all uses of land established after the effective date of this Title, outdoor lighting shall be provided in accordance with the requirements of this Chapter.
- B. Modification to Existing Structures and Uses. Whenever an existing building is modified or a use is expanded such that it creates an increase of more than 20 percent or 2,500 square feet in the gross floor area of the building or use, whichever is more, outdoor lighting shall be provided in accordance with the requirements of this Chapter.
- C. Outdoor lighting fixtures established prior to the adoption date of this Chapter shall come into compliance within one year of the adoption date except as provided below:
 1. In the event the property owner or occupant demonstrates that compliance will cause a financial or other hardship, the Community Development Director may approve time extensions for such lighting fixtures for periods of up to one year. A maximum of three one-year extensions may be granted by the Director.
 2. If an extreme hardship exists, the Planning Commission may approve additional extensions of time if a finding is made that such extension does not create a public nuisance.
 3. All requests for extension shall be in writing and shall be signed by the owner or occupant of the property.

19.78.030 - Definitions

The following definitions shall apply to this Chapter:

- A. Architectural Lighting. Lighting which is either directed toward a residence with the intent of

highlighting an architectural feature or a light fixture which is architecturally ornamental in nature or purpose.

- B. Cut-off Fixture. Outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures in such a manner that does not direct light upward or onto neighboring uses and limits glare from the light rays in the area above 80 degrees from the vertical pole.
- C. Fixture. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or polo socket, lamp holder, ballast, reflector or mirror and a refractor or lens.
- D. Foot-candle. A measure of illuminance in lumens per square foot.
- E. Freestanding Lighting. A light fixture which is not attached to a building.
- F. Fully Shielded. Outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures in such a manner that does not direct light upward or onto neighboring uses.
- G. Night Sky. A clear sky, between dusk and dawn, with visible stars, despite necessary or desired illumination of private and public property.
- H. Pedestrian Lighting. Freestanding lighting fixtures not exceeding a height of 36 inches from surrounding ground grade level.

19.78.040 - Permit Requirements and Exemptions

- A. Permit Required. Consistency with the regulations contained in this Chapter shall be reviewed concurrent with any required building permit or land use permit for applicable projects.
- B. Prohibited Lighting. Searchlights for advertising purposes are prohibited.
- C. Exemptions. The following outdoor lighting fixtures are exempt from the requirements of this Chapter.
 - 1. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.
 - 2. Existing nonconforming neon outdoor lighting fixtures.
 - 3. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.
 - 4. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situation.
 - 5. Provided there is no light trespass or the lighting fixtures are regulated by motion detector, lighting fixtures within 5 feet of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of 8 feet and no greater than 5.0 foot-candles as

measured at a 5-foot radius from the door and no greater than 0.05 foot-candle measured at the property line abutting residential uses.

6. Holiday lighting and fixtures, providing such lighting and fixtures do not remain for longer than 60 days in duration.
7. Architectural lighting, whether it is freestanding or attached to a building which does not exceed an intensity of 2.0 foot-candles.
8. Pedestrian lighting which does not have an intensity greater than 2.0 foot-candles.
9. Vertical lighting for a properly displayed US flag.

19.78.050 - Development Standards - General

- A. Shielding Requirements. All outdoor lighting, except as specified in SubSection 19.70.040.C (Exemptions) shall be fully shielded. Examples of appropriate fixtures are shown in Figure 19.78.050-1 (Examples of Acceptable/Unacceptable Lighting Fixtures).
- B. Level of Illumination. Outdoor lighting shall be designed to illuminate at the minimum level necessary for safety and security and to avoid the harsh contrasts in lighting levels between the project site and adjacent properties. Illumination requirements are provided in Table 19.78.050-2 (Illumination Requirements) and are measured at ground level, unless otherwise noted.

Figure 19.78.050-1
Examples of Acceptable/Unacceptable Lighting Fixtures



Table 19.78.050-2
Illumination Requirements

Category	Where Measured	Required Illumination (minimum or maximum)	Notes

Public, civic, and religious buildings		Permitted to be fully illuminated during hours of operation. After hours, may be dimmed or turned off such that only lighting essential to security or safety shall be maintained.	
General			
Parking lots, driveways, trash enclosures, public phones, group mailboxes	Within 2-foot radius of object edge	1.0 foot-candle (minimum) and 4.0 foot-candles (maximum)	At all hours
Parking lots for banks, convenience stores, check cashing businesses	At point of highest and lowest light level	1.5 foot-candle (minimum) and 4.0 foot-candles (maximum)	During operating hours
Parking lots for residential land uses	At point of highest and lowest light level	0.5 foot-candle (minimum) and 2.0 foot-candles (maximum)	During hours of darkness
Pedestrian walkways	Center of walkway at point of highest and lowest light level	0.5 foot-candle (minimum) and 2.0 foot-candles (maximum)	Only applies to walkways intended for use after dark

Nonresidential structures, entryways, and doors	5-foot radius of door (each side)	5.0 foot-candle (maximum)	During hours of darkness
Adjacent residential property	At structure and rear setback line	0.05 foot-candle (maximum)	

19.78.060 - Development Standards by Land Use

- A. Residential Land Use. Pole lighting shall not exceed 12 feet in height.
- B. Parking Lot Lighting.
 - 1. Parking lot lighting shall be oriented downward with cut-off fixtures to protect the desert sky.
 - 2. At least 50 percent of all lighting fixtures within parking lots or within open lot sale areas shall be turned off within one hour after closing or between 10:00 p.m. and sunrise, whichever occurs first.
- C. Recreational Facilities. There shall be no illumination of private or public recreational facilities unless the facilities are being utilized. The illumination must be turned off between the hours of 10:00 p.m. and sunrise or one hour after the termination of the event and/or use, whichever occurs last.
- D. Billboards and Externally Illuminated Signs. Lighting fixtures used to illuminate any new sign shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this Chapter and the City's Sign Code.

19.78.070 - Penalty for Violation

Violation of this Chapter shall constitute an infraction on the first and second offense and a misdemeanor on the third offense. Each day of violation may be cited as a separate offense.

CHAPTER 17.14 OUTDOOR LIGHTING

§ 17.14.010. Purpose.

This chapter establishes minimum requirements for outdoor lighting in order to reduce light trespass and glare, and to protect the health, property, and the well-being of residents and visitors. Terms used in this chapter are defined in Part 7 (Definitions).

§ 17.14.020. Exemptions.

The following are exempt from the provisions of this chapter:

- A. Fixtures not fully shielded only if less than 3,000 Kelvin and/or 750 lumens per fixture; however, all non-residential lighting shall be shielded.
- B. Traffic control signals and devices.
- C. Street lights installed prior to the effective date of the ordinance codified in this chapter. New or replacement lighting shall comply with this chapter.
- D. Temporary emergency lighting (e.g., for use by fire, police, or repair personnel).
- E. Holiday lighting.
- F. Outdoor lighting for automated teller machines and associated parking lot facilities, which are subject to the California Financial Code Section 13040.
- G. Existing outdoor sports-field lights installed prior to the effective date of the ordinance codified in this chapter. New or replacement lighting shall comply with this chapter.
- H. All hazard warning luminaires required by federal regulatory agencies.
- I. Special events approved by the City pursuant to a temporary use permit and emergency or City approved night-time construction.
- J. Safety lights not exceeding 2,400 lumens (150 watts incandescent equivalent) per fixture that are controlled by a motion sensor switch and do not remain on longer than five minutes after activation.
- K. Low-voltage landscape lighting that does not exceed 400 lumens (35 watts incandescent equivalent) per fixture or string of lights.
- L. Approved lighting fixtures on any building or structure listed on the City's historic register and historic inventory.
- M. Accent lighting for art located in public places subject to the approval of the Development Services Director.
- N. Lighting for United States flags.

- O. Lighting required for the purpose of public safety or crime prevention and approved by the chief of police.

§ 17.14.030. General Standards.

The following general standards shall apply to all outdoor lighting installed after the effective date of the ordinance codified in this chapter:

- A. Light trespass that results in glare is prohibited.
- B. All residential lighting over 750 lumens per fixture shall be adequately shielded, and directed such that no direct light falls outside the property line or into the public right-of-way, as illustrated in Figure 17.14-1 (Inadequate and Adequate Shielding) and Figure 17.14-2 (Light Source Not Directly Visible Outside Property Perimeter). Residential lighting 750 lumens or below is exempt from a shielding requirement.
- C. All non-residential outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line or into the public right-of-way.
- D. New development that includes common-areas shall be maintained with a minimum 1.0 foot-candle power on walkways and in parking lots. However, there shall be zero measurable foot-candle power at the property line.
- E. The Development Services Director or designee may require motion-activated or heat (infrared)-activated lighting within public or common recreational areas, pedestrian entry points, or other targeted areas as appropriate to deter crime and enhance public safety.
- F. Luminaires shall be so designed and shielded by horizontal cutoff to eliminate all light directed above the horizontal plane, as illustrated in Figure 17.14-1 (Adequate Shielding). The lower edge of the luminaire's housing shall extend below the entire light source and all glassware so that any light emitted above the horizontal is eliminated. Light-directing refractors shall be considered to be light sources.
- G. Outdoor lighting shall comply with the State of California Title 24 Energy Efficiency Standards outdoor lighting requirements. If a conflict between the requirements of this chapter and the State of California Title 24 Energy Efficiency Standards arises, that which produces the least glare shall apply.

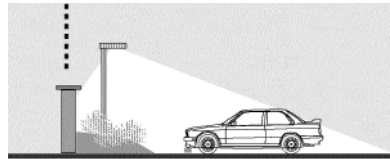
§ 17.14.040. Prohibited Lighting.

- A. Lighting that flashes, flickers, blinks, changes color, or changes intensity such that it is distracting or may be confused with traffic or emergency signals shall be prohibited.
- B. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.

FIGURE 17.14-1 INADEQUATE AND ADEQUATE SHIELDING

Inadequate Adequate
Source: Dark Sky Society

FIGURE 17.14-2 LIGHT SOURCE NOT DIRECTLY VISIBLE OUTSIDE PROPERTY PERIMETER



Source: Dark Sky Society

C. The operation of searchlights for advertising purposes is prohibited.

§ 17.14.050. Parking and High Travel Area Lighting.

- A. Parking area luminaires shall be no taller than 20 feet as measured from the adjacent grade to their tallest point. Taller poles may be approved by the Development Services Director.
- B. Lighting, where provided to illuminate parking, sales, or display areas shall be hooded or shielded and comply with Section 17.14.030 (General Standards).

§ 17.14.060. Recreational Facilities.

- A. Any light source permitted by this chapter may be used for lighting outdoor recreational facilities (public or private) provided all of the following conditions are met:
 - 1. All fixtures used for event lighting shall be fully shielded as defined in Section 17.14.030 (General Standards), or be designed or provided with sharp cut-off capability, so as to minimize up-light and glare.
 - 2. Exterior lighting is turned off before or as near to 11:00 PM as practical except to conclude a scheduled event that was in progress before 11:00 PM.

§ 17.14.070. Grandfathering of Nonconforming Luminaires.

- A. All luminaires lawfully in place prior to the date of the ordinance shall be grandfathered. However, any luminaire that replaces a grandfathered luminaire, or any grandfathered luminaire that is moved, must meet the standards of this chapter.
- B. Grandfathered luminaires that direct light toward streets or parking lots that cause disability glare to motorists or cyclists should be either shielded or re-directed within 90 days of notification, so that the luminaires do not cause a potential hazard to motorists or cyclists.

CHAPTER 17.58 OUTDOOR LIGHTING STANDARDS

§ 17.58.010. Purpose.

The purpose of this chapter is to regulate lighting to balance the safety and security needs for lighting with the city's desire to limit light pollution from outdoor sources, preserve dark skies, maintain darkness for night sky viewing, and ensure that light trespass and glare have negligible impact on surrounding property (especially residential) and roadways.

(Ord. No. 1000 § 4, 2022)

§ 17.58.020. Applicability.

The requirements of this chapter apply to all new and existing development. Whenever a person is required to obtain a building permit, electrical permit, and/or approval of a planning entitlement, the applicant shall submit sufficient information for the approving authority to determine whether the proposed lighting will comply with the requirements of this chapter.

(Ord. No. 1000 § 4, 2022)

§ 17.58.030. Exempt lighting.

The following items shall be exempt from the requirements of this chapter:

- A. Temporary lights used for holiday decorations.
- B. Emergency lighting erected for official purposes by local, state, or federal agencies.
- C. Lighting for temporary uses and special events permitted consistent with this code.

(Ord. No. 1000 § 4, 2022)

§ 17.58.040. Prohibited lighting.

The following types of lighting are prohibited:

- A. Neon tubing or band lighting (including LCD, LED, and other technologies) on buildings and/or structures as articulation in lieu of a physical architectural element/feature, except accent lighting as approved through design review (section 17.20.040).
- B. Search lights, laser source lights, or any similar high-intensity light, except for emergency use by police or fire personnel or at their discretion, or for approved temporary lighting for a special event approved by the city.
- C. Lighting fixtures operated in such a manner as to constitute a hazard or danger to persons or to safe vehicular travel.
- D. Illumination of entire buildings.
- E. Roof-mounted lighting except for security or fire safety purposes.

F. Moving, flashing, or animated lighting.
(Ord. No. 1000 § 4, 2022)

§ 17.58.050. General lighting requirements.

The requirements listed below shall apply to all outdoor lighting.

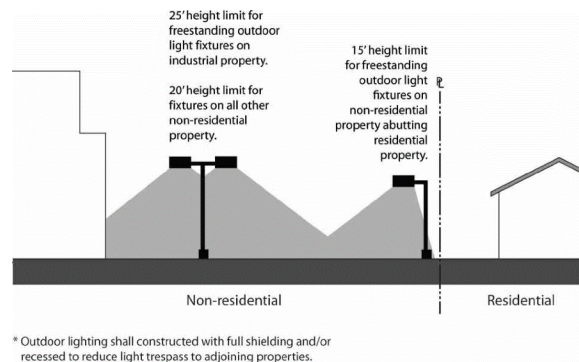
- A. Nuisance prevention. All outdoor lighting shall be designed, located, installed, directed downward or toward structures, fully shielded, and maintained in order to prevent glare, light trespass/spillover onto adjacent properties, and light pollution.
- B. Maintenance. Fixtures and lighting shall be maintained in good working order and in a manner that serves the original design intent.
 - 1. Lighting of all types shall be regularly maintained to ensure continuous function/operation. This shall include all energizing and support infrastructure associated with the lighting fixture.
 - 2. Lighting fixtures shall remain free of graffiti.
 - 3. All finishes applied to light fixtures shall be regularly maintained to ensure that all degradations to the fixtures due to environmental conditions, physical damage, or general use.
- C. Shielding. Except as otherwise exempt, all outdoor lighting shall be recessed and/or constructed with full downward shielding in order to reduce light and glare impacts on trespass to adjoining properties and public rights-of-way. Each fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light fixture directly illuminates an area outside of the project site intended to be illuminated. See Figure 17.58.050-2 (Shielding and Maximum Height of Freestanding Outdoor Light Fixtures).
- D. Level of illumination. Outdoor lighting shall be designed to illuminate at the minimum level necessary for safety and security, to avoid harsh contrasts in lighting levels between the project site and adjacent properties, ensure compatibility with the character of the surrounding neighborhood, and limit excess ambient light to maintain darkness for night sky viewing (especially in rural, neighborhood, hillside, and open space areas). Proposals for all lighting for new and redevelopment projects shall include the submittal of a photometric plan for review and approval. Illumination requirements are provided in Table 17.58.050-1 (Illumination Requirements).

TABLE 17.58.050-1 ILLUMINATION REQUIREMENTS			
Category	Where Measured	Required Illumination (minimum or maximum)	Notes
Public, civic, and religious buildings		Permitted to be fully illuminated during hours of operation. After hours, may be dimmed or turned off such that only lighting essential to security or safety shall be maintained.	
General			
Parking lots, driveways, trash enclosures, public phones, group mailboxes	Within 2-foot radius of object edge	1.0 lumen (minimum) and 4.0 lumens (maximum)	At all hours
Parking lots for banks, convenience stores, check cashing businesses	At point of highest and lowest light level	1.5 lumen (minimum) and 4.0 lumens (maximum)	During operating hours
Pedestrian walkways, including paseos	Center of walkway at point of highest and lowest light level	0.5 lumen (minimum) and 2.0 lumens (maximum)	Only applies to walkways intended for use after dark Applies to all paseos
Nonresidential structures, entryways, and doors	5-foot radius of door (each side)	1.0 lumen (minimum)	During hours of darkness
Adjacent residential property	At structure and rear setback line	0.1 lumen (maximum)	Equivalent to moon's potential ambient illumination

- E. Signs. Lighting of signs shall be in compliance with chapter 17.74 (Sign Regulations for Private Property).
- F. Sports fields/outdoor activity areas. Where playing fields or other specialty activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that the light falls within the primary playing area and no significant off-site light trespass is produced. Additionally, the lights shall be turned off within one hour after the end of the event.
- G. Wireless telecommunication facilities. Wireless telecommunication facilities and related equipment shall be unlit except as provided in chapter 17.106 (Wireless Communicator Facilities).
- H. Maximum height of freestanding outdoor light fixtures. The maximum height of freestanding outdoor light fixtures shall be as follows:
1. On residential properties: 12 feet.

2. On nonresidential properties adjacent to residential properties: five feet.
3. On industrial properties: 25 feet.
4. On properties not noted as above: 20 feet.
5. The height of a freestanding outdoor light fixture shall be measured from the finish grade, inclusive of the pedestal, to the source of the illumination in the fixture does not include decorative elements attached to the top of the fixture. See Figure 17.58.050-2 (Shielding and Maximum Height of Freestanding Outdoor Light Fixtures).

FIGURE 17.58.050-2 SHIELDING AND MAXIMUM HEIGHT OF FREESTANDING OUTDOOR LIGHT FIXTURES



- I. Energy-efficient fixtures required. Outdoor lighting shall utilize energy-efficient fixtures and lamps such as LED, high-pressure sodium, metal halide, low-pressure sodium, hard-wired compact fluorescent, or other lighting technology that is of equal or greater efficiency.
 - J. Accent lighting. Architectural features may be illuminated by uplighting, provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar-powered fixtures shall be used.
 - K. Alternative designs, materials, and installations. The designated approving authority may grant approval of alternatives to this section as part of design review (section 17.16.130).
- (Ord. No. 1000 § 4, 2022)

Footnotes:

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Editor's note— Ord. No. 7447, § 1(Exh. A), adopted Nov. 27, 2018, repealed Ch. 19.556, §§ 19.556.010 and 19.556.020, and replaced in its entirety a new chapter 19.556, §§ 19.556.010—19.556.090, as set out herein. Former Ch. 19.556 pertained to lighting and derived from Ord. 6966 § 1, adopted in 2007.

19.556.010 - Purpose.

This chapter sets forth standards to ensure that outdoor lighting is adequate for safety, security and commerce while preserving the naturally dark night sky by mitigating artificial sky glow and preventing glare and light trespass.

(Ord. 7447 § 1(Exh. A), 2018)

19.556.020 - Definitions.

For the purposes of this chapter only, the following words and phrases are defined as follows:

Architectural floodlighting and outlining means the use of lighting to illuminate building facades, statuary, and similar edifices for appearance or other needs not involving visual tasks such as walking or driving.

Artificial sky glow means anthropogenic light scattered in the atmosphere that on clear nights reduces the ability to see stars and the Milky Way. It also has negative environmental impacts.

Community & Economic Development Director means the director of the Community & Economic Development Department of the City of Riverside or the person designated by the Community & Economic Development Director.

Curfew means the time each night that lighting shall be dimmed or turned off in accordance with Title 24, Part 6, Section 130.2 for nonresidential lighting and Section 150.0 for residential lighting.

Downlight means that the luminaire emits no light above 90 degrees relative to nadir.

Fully shielded means a light fixture constructed and installed in such a manner that all light emitted by the fixture, either directly from the light source or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the fixture's lowest light-emitting part.

Glare means lighting entering the eye directly from a light fixture or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Light source means, in generic terms, a source of optical radiation (i.e., "light"), often called a "lamp", "bulb", or "tube". Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

Light Trespass means light that falls beyond the property on which it originates. The amount of trespass is expressed in footcandles (fc) and is measured in the vertical plane at five feet above grade at the property line of the site on which the light(s) is located. If the adjacent property is a street, alley or sidewalk, then the point at which trespassing light is measured shall be the center of the street, alley, sidewalk, or right-of-way. Field measurements to determine light trespass compliance shall not include the effect of light produced by street lights.

Lumen means the unit of measure used to quantify the amount of visible light produced by a light source or emitted from a luminaire (as distinct from "watt," a measure of power consumption).

Luminaire means outdoor electrically powered illuminating devices, including a light source, outdoor reflective or refractive surfaces, lenses, electrical connectors and components, and all parts used to mount the assembly, distribute the light and/or protect the light source, whether permanently installed or portable.

Maximum Lumens means the allowed maximum rated lumens per a photometric report or manufacturer's product literature for a dedicated fluorescent, LED or HID luminaire or the rated lumens of the light source installed for a line voltage socket luminaire or a low voltage socket luminaire.

Shielded up-light means a luminaire aimed upward within 30 degrees of straight up that employs a baffle or louver to prevent glare.

Temporary lighting means lighting that (a) employs a cord and plug that is not permanently wired and (b) is installed and removed when the temporary need is over, not to exceed 45 days, including but not limited to seasonal lighting.

Outlining means exposed light sources attached to structures for the primary purpose of attraction, branding or decoration.

(Ord. 7447 § 1(Exh. A), 2018)

19.556.030 - Applicability.

Except as described below, all outdoor lighting installed or modified after the effective date of this ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, additions and alterations to existing lighting whether attached to structures, poles, the earth, or any other location. Applications for land use entitlements after the effective date of this ordinance shall comply with this chapter.

(Ord. 7447 § 1(Exh. A), 2018)

19.556.040 - Exemptions.

A. The following are not regulated by this chapter:

1. Lighting within public right-of-way, or quasi-public easement for common access, such as a private street serving a community of homes.
2. Lighting solely for signs (see 19.620).
3. Repairs to existing luminaires, not including replacements or modifications.
4. Temporary lighting.
5. Underwater lighting in swimming pools and other water features.
6. Short-term lighting associated with activities authorized by a special event permit or film permit.
7. Construction or emergency lighting which is shielded, temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency for which the light serves.
8. Lighting approved by temporary, variance, minor conditional or conditional use permit.
9. Lighting under the jurisdiction of Title 20 of the Riverside Municipal Code and for which a Certificate of Appropriateness has been granted.

(Ord. 7447 § 1(Exh. A), 2018)

19.556.050 - Prohibited lighting.

A. The following types of lighting are prohibited unless in conjunction with the exemptions provided in Section 19.556.040:

1. Dynamic lighting, such as moving lights, color changing lighting, or digital LED panels that flash, chase, change color, or changes intensity for any purpose other than serving as a traffic signal, safety light, or aviation or marine marker.
2. Luminaires exceeding 500,000 peak candelas or 50,000 lumens
3. Aerial laser lighting.

4. Lighting within Lighting Zone 0 except as permitted by Title 24, Part 6, Section 140.7.
5. Sport facility lighting.

(Ord. 7447 § 1(Exh. A), 2018)

19.556.060 - Lighting zones.

- A. Lighting zones are defined as follows:
 1. Lighting Zone 0 (Zero) shall include undeveloped areas of parks, recreation areas, and wildlife preserves. These areas are undeveloped or intended to be preserved in a natural state that require little or no exterior light at night.
 2. Lighting Zone 1 (One), shall include developed portions of parks, recreation areas, wildlife preserves, and the area within the Mt. Palomar Observatory boundary as shown in the General Plan which are suitable for low levels of exterior lighting at night.
 3. Lighting Zone 2 (Two) shall include all areas of the City that are zoned RA-5, RC and RR which are suitable for modest levels of exterior lighting at night.
 4. Lighting Zone 3 (Three) shall include all other areas of the City not in Lighting Zones 0, 1 or 2 which are suitable for medium to high levels of exterior lighting at night.
- B. All proposed changes and appeals to lighting zone designations shall be approved by the City Council upon recommendation of the Planning Commission. The Community & Economic Development Director shall notify the California Energy Commission according to California Code of Regulations, Title 24, Part 1, Section 10-144(d).

(Ord. 7447 § 1(Exh. A), 2018)

19.556.070 - Design review and permitting.

- A. All proposed outdoor lighting installations involving new lighting or the modification, alteration, or replacement of outdoor lighting shall submit plans and related information as listed below:
 1. Plans depicting the proposed luminaires with certification from engineer, applicant and/or designee that the plans comply with this chapter.
 2. Product specification data such as manufacturer's data sheets for each luminaire and control device(s) or systems being used.
 3. For nonresidential properties, signed pages of required documents for Title 24 - Part 6 Section 140.7 and Title 24 - Part 11 Section 5.106.8 demonstrating compliance.
 4. Details, elevations, summaries or calculations as required to demonstrate compliance with this ordinance.
 5. Such other data and information as may be required by the Community & Economic Development Director.

19.556.080 - Design and development standards.

- A. All outdoor lighting shall be designed and implemented to mitigate light trespass onto adjacent properties and comply with the following:
1. The correlated color temperature of all outdoor lighting shall be 3,000 Kelvin or less, with tolerance within the ANSI standard C78.377 of LED sources.
 2. Shall comply with the California Title 24 California Code of Regulations, Title 24, Parts 1, 2, 6 and 11.
 3. Shall comply with Table 19.556.080 A - Lighting Limits for Residential Including Multifamily Properties with Fewer than eight Units or Table 19.556.080 B - Lighting Limits for Nonresidential and Multifamily Residential Properties with eight Units or more.
 - a. Except that, the maximum mounting height of luminaires (above finished grade) shall not apply to fully recessed luminaires.
 - b. Except that, the maximum mounting height for buildings with exterior entrance doors shall be 12 feet above adjacent floor unless recessed into an adjacent ceiling, soffit or overhang.
 - c. Average illumination of a façade or edifice shall not exceed five footcandles (50 lux).
 4. Lighting shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing, except as may be specifically allowed herein.

Table 19.556.080 A - Limits for Residential Including Multifamily with Less than eight Units.

Restriction	Lighting Zone 0 (Zero)	Lighting Zone 1 (One)	Lighting Zone 2 (Two)	Lighting Zone 3 (Three)
Automatic Lighting Controls	Per Title 24 Part 6 Section 150.0(k.) 3. (A).iii.			
Maximum lumens per fully shielded luminaire	300	1000	2000	3000

Unshielded and decorative lighting	Prohibited	One per residence, not to exceed 300 lumens per residence	Two per residence, not to exceed 600 lumens per luminaire and 1000 lumens per residence	Three per residence, not to exceed 900 lumens per luminaire and 2000 lumens per residence
Maximum mounting height of luminaires (above finished grade)	8 feet	12 feet	12 feet	25 feet
Landscape lighting maximum per luminaire	Prohibited	Downlight only, not to exceed 300 lumens	Downlight and/or shielded uplight, not to exceed 450 lumens	Downlight and/or shielded uplight, not to exceed 600 lumens
Landscape lighting maximum lumens per acre	0	6000	12000	18000
Architectural Floodlighting ¹	Prohibited	Prohibited	16000 lumens above horizontal plane of light source	20000 lumens above horizontal plane of light source
Maximum allowable light trespass ²	0	0.1 footcandle (1 lux)	0.2 footcandle (2 lux)	0.5 footcandle (5 lux)

1. Lumens represent maximum lumens per site development. Architectural floodlighting must comply with unshielded and decorative lighting restrictions, including maximum number of luminaires and lumens per residence.
2. Allowable light trespass shall be determined based upon the light zone in which the trespass occurs, not from which the light originates.

Table 19.556.080 B - Limits for Nonresidential and Multifamily Properties more than eight Units.

Restriction	Lighting Zone 0 (Zero)	Lighting Zone 1 (One)	Lighting Zone 2 (Two)	Lighting Zone 3 (Three)
Maximum Allowed Lighting Watts	Per Title 24 Part 6 Section 140.7			
Automatic Lighting Controls	Per Title 24 Part 6 Section 130.2 for nonresidential properties and for multifamily residential properties of 8 residences or more.			
Backlight, uplight and glare limits	BUG 0,0,0 only	Per Title 24 Part 11 Section 5.106.8		
Unshielded and decorative lighting	Prohibited	Prohibited	Maximum 600 lumens per luminaire, not to exceed 12000 lumens per acre.	Maximum 900 lumens per luminaire, not to exceed 18000 lumens per acre
Maximum mounting height of luminaires (above finished grade)	8 feet	25 feet		

Landscape lighting per luminaire	Prohibited	Downlight only, not to exceed 450 lumens	Downlight and/or shielded uplight, not to exceed 600 lumens	Downlight and/or shielded uplight not to exceed 900 lumens
Maximum landscape lighting lumens per acre	0	9000	12000	18000
Architectural Floodlighting ¹	Prohibited	Prohibited	20000 lumens above horizontal plane of light source	20000 lumens above horizontal plane of light source
Maximum allowable light trespass ²	0	0.1 footcandle (1 lux)	0.2 footcandle (2 lux)	0.5 footcandle (5 lux)

1. Lumens represent maximum lumens per site development. Architectural floodlighting must comply with unshielded and decorative lighting restrictions, including maximum number of luminaires and lumens per residence.

2. Allowable light trespass shall be determined based upon the light zone in which the trespass occurs, not from which the light originates.

(Ord. No. 7701, §§ 35, 36(Exh. D.), 37(Exh. E), 2025; Ord. 7447 § 1(Exh. A), 2018)

CHAPTER 24.16
OUTDOOR LIGHTING REQUIREMENTS

Note: Prior ordinance history: Ord. 826.

§ 24.16.010. Purpose and intent.

- A. The outdoor lighting requirements are intended to minimize light pollution and light trespass, and preserve the night-time environment in the city by:
1. Encouraging the use of electrical engineers or lighting professionals to design outdoor lighting systems.
 2. Requiring that all lighting products are designed to be energy efficient and utilize technology to control the lighting in a manner to meet the lighting design criteria of this chapter.
 3. Implementing guidelines that define the characteristics of the lighting fixture distribution that reduces light pollution and preserve the night-time environment.
- B. The chapter is not intended to prevent the use of any design, products or method of installation. The director may approve any such proposed alternate if the design meets the intent of the chapter to provide high quality lighting performance, glare control, reduced light trespass to preserve the night-time environment.
(Ord. 1272 § 1, 2014)

§ 24.16.015. Outdoor lighting requirements.

- A. All luminaries with total lamp mean lumens above four thousand shall be full-cutoff type and meet the requirements illustrated in Figure 24.16-1.

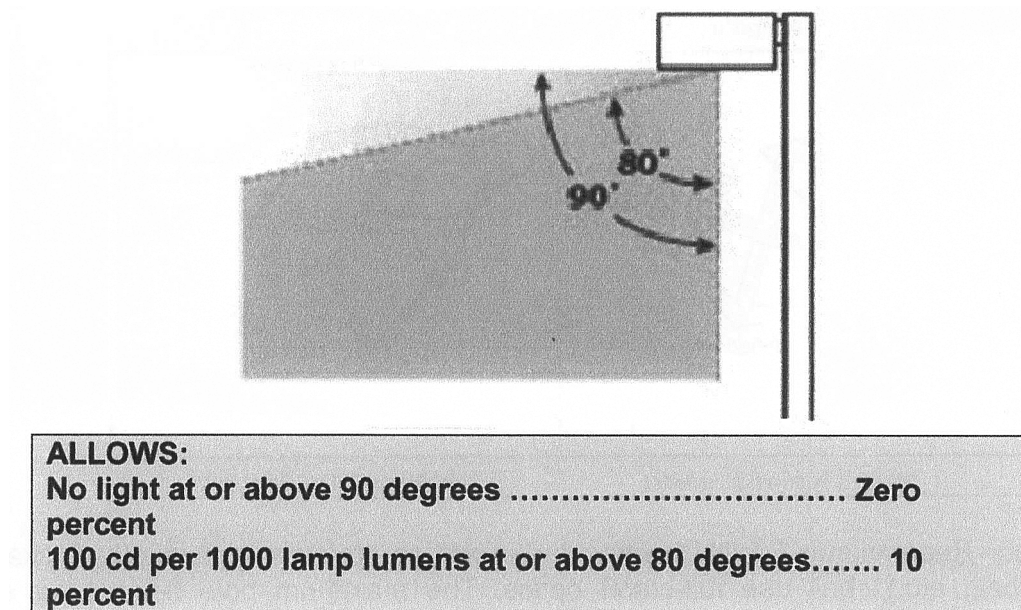


Figure 24.16-1

- B. Commercial and Residential Zones. Lighting sources (lamps) approved for commercial and residential zones are light emitting diodes (LED), light emitting plasma (LEP), compact fluorescent lamps (CFL), multifaceted reflector halogen lamps (MR) and incandescent lamps. High pressure sodium (HPS) lamps are prohibited.
- C. Lighting sources approved for public or municipal outdoor recreation facilities are light emitting diodes (LED), light emitting plasma (LEP) and metal halide (MH). High pressure sodium (HPS) lamps are prohibited.
- D. Low pressure sodium lighting is not approved.
- E. Public or Municipal Outdoor Recreational Facilities. All lighting for field sports shall conform to the requirements of Section 24.16.040 Light trespass. Sports lighting fixtures shall use the latest technology to control spill light from the lighting fixture as illustrated in Figure 24.16-2.

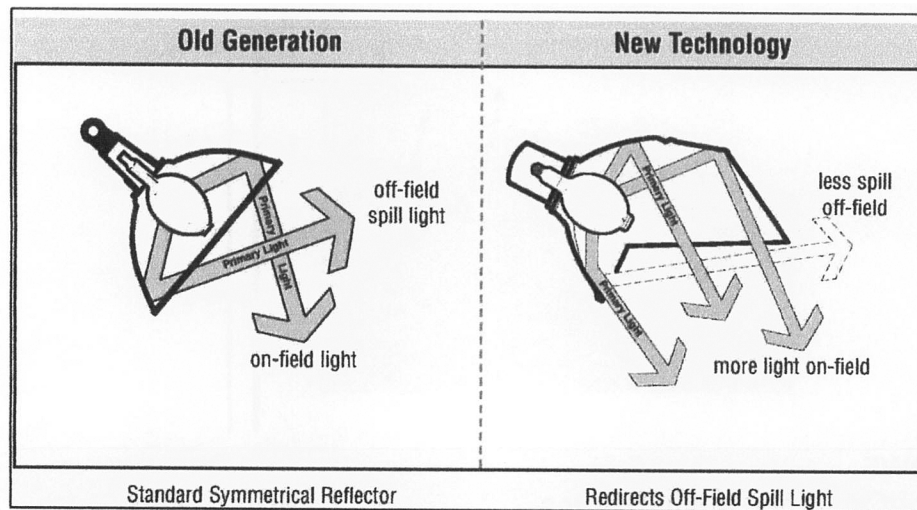


Figure 24.16-2

- F. Outdoor recreational facility lighting for sports courts (tennis, basketball, skating, volleyball, etc.) shall use full-cutoff optics. The maximum pole heights for sport courts shall be thirty feet.
- G. Pedestrian scale post top luminaries with total lamp lumens of less than six thousand may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not recommended to shield the lamp source.
- H. Low level lighting (bollards, step lights etc.) with total lamp lumens of less than three thousand five hundred may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed.
- I. All outdoor lighting mounting heights shall conform with the following:
 - 1. Residential Zones. Maximum of eighteen feet height in residential zones. The lamp lumens shall be fifteen thousand lumens or less and provide for full-cutoff features.
 - 2. Commercial Zones. Maximum of thirty feet high in commercial zones. Total lamp lumens shall be one hundred thirty thousand lumens or less with full-cutoff fixtures.
- J. Luminaries used primarily for walkway lighting (pedestrian scale lighting) shall be mounted no higher than ten feet above grade.
- K. Wall-Mounted Lighting. Residential wall-mounted lighting luminaries with total

lamp lumens of less than one thousand eight hundred may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not recommended to shield the lamp source.

- L. Commercial wall-mounted lighting luminaries with total lamp lumens of less than fourteen lumens per inch (total size of the wall light fixture face in inches) but not exceeding four thousand lumens total may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not recommended to shield the lamp source.
- M. Security pole and wall pack lighting fixtures in commercial and residential zones shall only be allowed if the fixture lumens and shielding meet the requirements outlined. The following types of fixtures are not approved in any application.

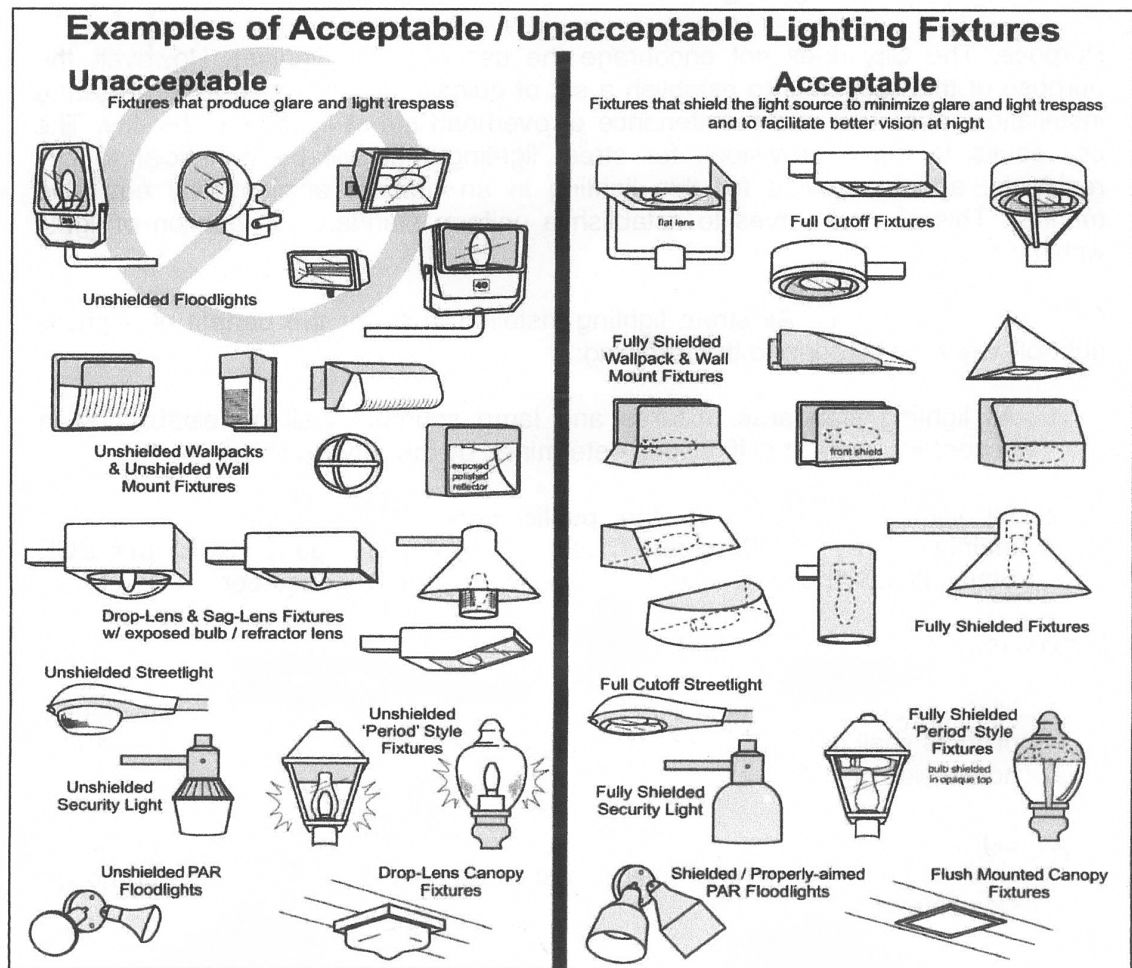


Figure 24.16-3

- N. The maximum Color Correlated Temperature (CCT) for all outdoor lighting shall be limited to four thousand Kelvin.
(Ord. 1272 § 1, 2014; Ord. 1382 § 3, 2022)

§ 24.16.020. Architectural outdoor lighting requirements.

- A. Lighting used to highlight architectural features, landscape, building façades, fountains, etc., shall be manufactured for the intended uses and shall be adjusted and/or aimed during the night to insure light is focused on the designated object.
- B. Lighting luminaries intended to be directional shall be provided with sources less than four thousand lumens and must be furnished with shields, louvers and/or lenses to insure that the direct view of the lamp source is reduced. An internal fixture reflector system with a clear lens that distributes in a specific direction is designed to promote glare control. Refractors are not recommended to shield the lamp source.

- C. Landscape lighting fixtures intended to be directional onto landscape features shall be provided with sources less than one thousand lumens and must be furnished with shields, louvers and/or lenses to insure that the direct view of the lamp source is reduced.

(Ord. 1272 § 1, 2014)

§ 24.16.025. Public street lighting.

- A. Purpose. The city does not encourage the use of street lighting. However, the purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the city. The city seeks to make provisions for street lighting that will be beneficial to city residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights within the city.
- B. General Requirements. All street lighting installed in or for the benefit of a public right-of-way shall conform to the following:
1. All lighting standards, fixtures and lamp sources shall be established in accordance with specifications determined by the city engineer.
 2. All lighting standards in the public right-of-way will be installed and maintained by the Southern California Edison Company (SCE) per SCE Schedule LS-1, unless otherwise approved by the city engineer.
- C. Luminaire and Lamp Requirements.
1. High pressure sodium (HPS) street lighting in single-family residential districts is prohibited.
 2. Light emitting diodes (LED) street lighting in single-family residential districts shall use nine thousand five hundred lumens or less and shall be full-cutoff luminaires with house side shields.
 3. Pedestrian scale post top luminaires in single-family residential districts with total lamp lumens of less than four thousand five hundred may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not recommended to shield the lamp source. House side shields may be required to reduce the light directed towards residences.
- D. Street Lighting Locations.
1. Residential street lighting shall be positioned at intersections.
 2. Residential street lighting shall be positioned mid-block on streets greater than eight hundred feet in length.

3. Residential street lighting shall be positioned at the end of cul-de-sacs when the street is greater than three hundred feet in length.
 4. Commercial and industrial streets shall have lighting positioned at intersections.
 5. Other locations and/or spacing of lighting may be required by the city engineer.
 6. Locations other than intersections where the lighting will provide an aid to traffic or public safety may be required by the city engineer.
- (Ord. 1272 § 1, 2014; Ord. 1382 § 4, 2022)

§ 24.16.030. Submittal plan requirements.

- A. Applicants for any project that requires approval for outdoor lighting systems shall include a site plan, fixture cuts and a photometric plan illustrating that the proposed outdoor lighting system complies with the requirements outlined in the chapter. The submission shall contain, but not be limited to, four complete sets of the following:
 1. A photometric lighting plan prepared by the project engineer showing point-by-point lighting levels for the entire lot and ten feet beyond the project property lines. The point by point photometric plan shall provide lighting levels at a maximum of ten-foot intervals. Photometric calculations shall use a .85 light loss factor for all photometric plans.
 2. Photometric calculations providing the following statistics as illustrated in Figure 24.16-4:
 - a. Average to minimum;
 - b. Maximum to minimum;
 - c. Average foot-candles;
 - d. Minimum foot-candles.

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
80% Zone Photometrics	+	2.0 fc	6.3 fc	0.4 fc	15.8:1	5.0:1	0.3:1

Figure 24.16-4

3. Photometric statistics representing the lighting and calculations in an area equal to eighty percent of the useable parking area, as shown in Figure 24.16-5:

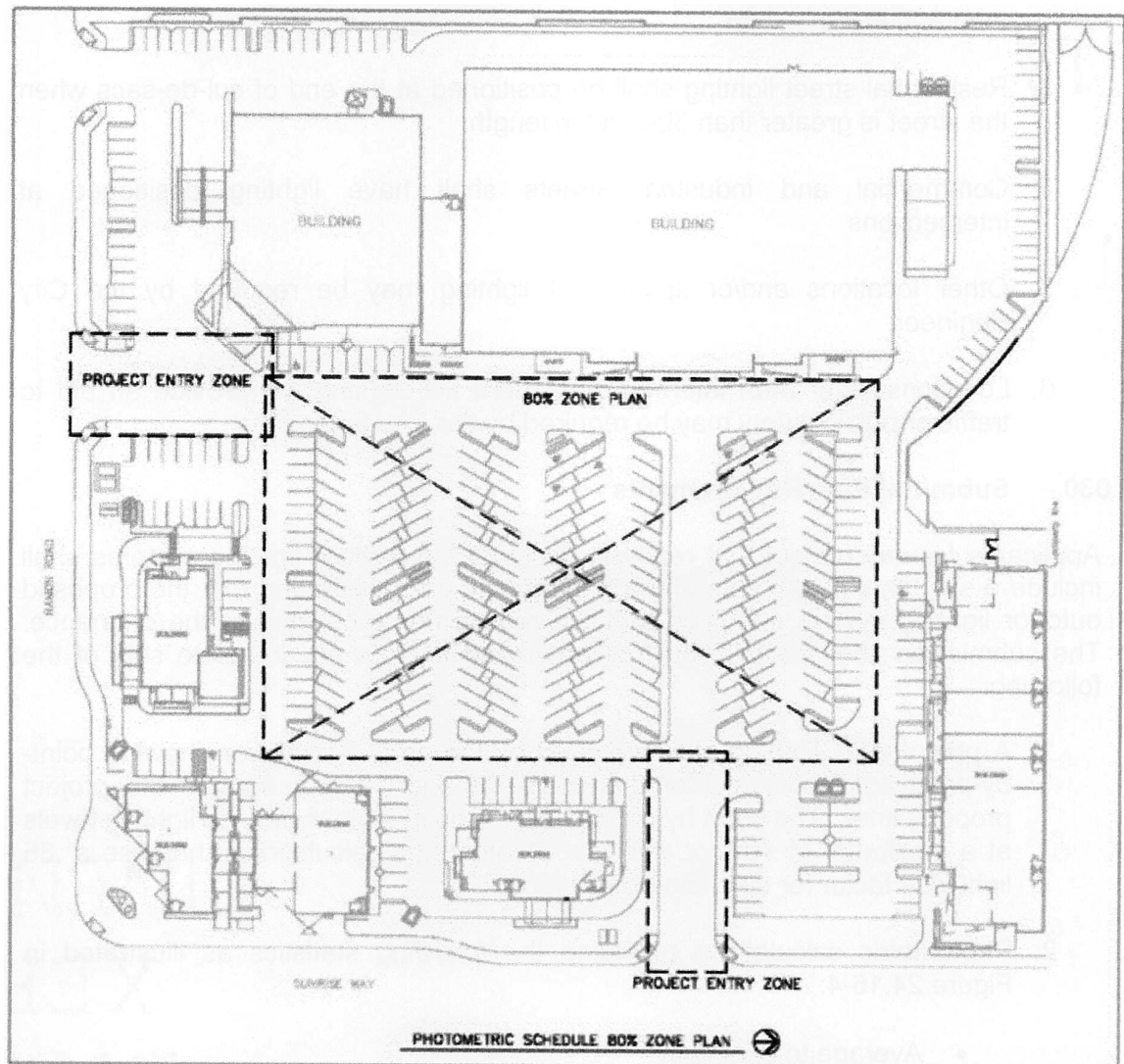


Figure 24.16-5

- B. Submittal and drawings shall be signed by a licensed professional engineer or architect taking responsibility for the lighting design. The name and company information for the plan preparer shall be clearly stated on the submittal drawings.
 - C. A description of the outdoor light fixtures including a manufacturer cut sheet, product specifications and shielding information for each lighting fixture used shall be included in the submittal package.
- (Ord. 1272 § 1, 2014)

§ 24.16.035. Lighting performance criteria.

- A. The performance of the lighting submittal will be evaluated based on the following criteria when the lamp source is LED or LEP.
 - 1. Minimum foot-candles shall be one foot-candle.

2. Average maintained light level of one foot-candle to three foot-candles.
 3. Average to minimum uniformity ratio shall not exceed 4:1.
 4. Maximum to minimum uniformity ratio shall not exceed 16:1.
- B. High pressure sodium (HPS) lamps are prohibited.
- C. The illumination levels at exits, entrances, loading zones, and collector lanes shall be approximately twice the average illumination of the adjacent parking area or the adjoining street, whichever is greater.
- D. Building exit illumination levels shall meet the foot-candle requirements established by the California Electrical Code and all associated building codes.
(Ord. 1272 § 1, 2014; Ord. 1382 § 5, 2022)

§ 24.16.040. Light trespass.

- A. The requirements to minimize the off-site illumination onto adjoining properties shall include lower pole heights, glare shields and repositioning lighting poles.
- B. The photometric plan provided for the project shall illustrate the off-site foot-candles up to the point when 0.00 foot-candles is illustrated.
- C. Lighting poles shall not be positioned at the property line adjacent to residential properties.
- D. Provide lighting fixtures with internal house side shielding so that no more than one-tenth foot-candle is measured horizontally at the adjacent property lines.
- E. Private tennis courts will be required to meet off-site lighting requirements. Photometric lighting plans shall be provided for all private tennis court lighting systems.
- F. All building-mounted luminaries shall be a maximum of eighteen feet above ground to the luminaire when adjoining residential property lines and a maximum of twenty feet above ground in other areas around the building.
- G. Wall pack lighting fixtures shall meet full cut-off requirements and shall be included in all photometric lighting plans.
- H. Where the adjacent property is residential, all lighting shall be arranged so as to direct the light away from the adjacent property by providing materials, methods, and designs so that no more than 0.25 foot-candle is measured at five feet inside the adjacent property.
- I. Hillside lighting shall be designed with the following:
 1. Hillside lighting systems must be submitted with a carefully detailed photometric plan illustrating horizontal and vertical foot-candles and a written justification why hillside lighting should be allowed. Lighting plans shall be reviewed as part of a Hillside Development Plan as described in Title 25.

2. Hillside lighting shall utilize light emitting diodes (LED) sources and be furnished with glare shields.
3. Luminaries with total lamp lumens above sixteen thousand lumens shall not be used.
4. All hillside lighting shall be turned off no later than ten p.m. and remain off until the following evening.

(Ord. 1272 § 1, 2014; Ord. 1355 § 11, 2020; Ord. 1382 § 6, 2022)

§ 24.16.045. Time of operation.

- A. All parking lot and building lighting systems shall meet the state of California Title 24 for outdoor lighting control requirements.
- B. On-premises advertising signs may be illuminated all night.
- C. Outdoor recreational facility sports lighting shall be turned off at ten p.m. with partial sports lighting remaining on until ten-thirty p.m. to allow participants to safely vacate the field.

(Ord. 1272 § 1, 2014)

§ 24.16.050. Permanent exceptions.

- A. Nonconformance. All outdoor light fixtures existing and legally installed prior to the effective date of the ordinance codified in this chapter are exempt from the requirements of this chapter, except that when existing luminaries are reconstructed or replaced, such reconstruction or replacement shall be in compliance with this chapter.
- B. Holiday Decorations. Lights used for holiday decorations are exempt from the requirements of this chapter and may be installed forty-five days prior to the holiday and removed thirty days after the holiday.
- C. American Flag Lighting. Lights used for illumination of flags as required by law are exempt from this chapter.

(Ord. 1272 § 1, 2014)

§ 24.16.055. Temporary lighting exemptions.

- A. Temporary exemptions must be approved by the director prior to installation. Temporary lighting is required, but not limited to, parades, special civic or public events, special business events, grand openings of businesses, etc.
- B. Any individual, business and/or organization may submit a written request to the director for a temporary exemption from the requirements of this chapter. The request shall be made on a temporary use application along with the associated fee.
- C. The temporary lighting application shall include the following:
 1. Name, address, and telephone number of the applicant.

2. Location of the outdoor light fixtures for which the exemption is requested.
 3. Use of the outdoor light fixtures involved.
 4. Duration of the requested exemption(s).
 5. Type(s) of outdoor lighting to be used including the lamp source, lumens, shielding and glare controls.
 6. Site plan illustrating the locations of all lighting equipment.
 7. Written description and justification for the temporary lighting.
- D. The director shall have ten business days from the date of receipt of the "request for temporary exemption" to approve or disapprove the request. The applicant will be notified of the decision in writing.
(Ord. 1272 § 1, 2014)

§ 24.16.060. Definitions.

Advertising Display. Means advertising structures and signs used for outdoor advertising purposes; not including on-premises (exterior portable or interior) advertising signs.

Ambient Light. The general overall level of lighting in an area from lighting not subject to this chapter.

Brightness. Strength of the sensation that results from viewing surfaces from which the light comes to the eye.

Candela (cd). Unit of luminous intensity. One candela is one lumen per steradian. Formerly called the candle.

Candlepower. Luminous intensity expressed in candelas.

City Engineer. The city engineer of the city of Palm Desert or a representative(s) designated by the city engineer of the city of Palm Desert.

Contrast. The difference between the luminaire luminous brightness and the brightness of the surrounding area.

Decorative Lighting. Lighting products used for decorative effects versus lighting performance. Examples of decorative lighting include, but are not limited to, fountain lighting, lighting fixtures (pole, post or bollard style) creating a visual effect with low lumen output, led commercial outdoor string lighting, building wall sconce and chandelier lighting with low lumen lamp sources.

Director. The director of community development for the city of Palm Desert or a representative(s) designated by the director of the city of Palm Desert.

Disability Glare. Glare resulting in reduced visual performance and visibility. It is often accompanied by discomfort.

Discomfort Glare. Glare that produces discomfort, but does not necessarily diminish visual performance.

Fixture. The assembly that holds the lamp in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

Foot-candle. One foot-candle is one lumen per square foot. This simply means the amount of light which hits one square foot.

Full-Cutoff. Outdoor light fixtures shielded or constructed so that all of the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Drop or sag lensed type fixtures are not allowed. IESNA classification that describes a luminaire having a light distribution in which zero candela intensity (visible light) occurs at or above an angle of ninety degrees above nadir. Additionally, the candela per one thousand lamp lumens does not numerically exceed one hundred (ten percent) at or above a vertical angle of eighty degrees above nadir. This applies to all lateral angles around the luminaire.

General Outdoor Lighting. All outdoor lighting used for, but not limited to, walkways, parking lots, equipment yards, outdoor security, outdoor retail or restaurant areas, automotive dealers (display areas only), assembly or repair areas, recreational facilities and similar applications where the use of the space or area requires accurate color rendition and light for ease of movement.

Glare. The lighting from a single or multiple lighting fixtures that causes one of the following conditions:

1. Produces sufficiently greater luminance (light) in an area to which the eyes are adapted to. This is known as discomfort glare.
2. Produces sufficiently greater luminance (light) in an area which causes visual performance loss and visibility. This is known as disability glare.

High Intensity Discharge (HID) Lamp. In a discharge lamp, the emitted energy (light) is produced by the passage of an electric current through a gas. High-intensity discharge includes mercury, metal halide, and high pressure sodium lamps. Other discharge lamps are LPS and fluorescent. Some such lamps have internal coatings to convert some of the ultraviolet energy emitted by the gas discharge into visual output.

High-Pressure Sodium (HPS) Lamp. A gas-discharge lamp that uses sodium in an excited state to produce light. There are two varieties of such lamps: low pressure and high pressure. Low-pressure sodium lamps are the most efficient electrical light sources, but their yellow light restricts applications to outdoor lighting such as street lamps. High-pressure sodium lamps have a broader spectrum of light than the low pressure, but still poorer color rendering than other types of lamps. Low pressure sodium lamps only give monochromatic yellow light and so inhibit color vision at night.

IESNA. Illuminating Engineering Society of North America.

Incandescent Lamp. Light is produced by a filament heated to a high temperature by electric current. These lamps include MR lamps, tungsten halogen lamps, PAR and R lamps. EISA 2007 set new performance requirements for certain common light bulbs, requiring that these bulbs become approximately twenty-five to thirty percent more efficient than the light bulbs by 2012-2014. Overall, the intent of this is to bring into the

market more efficient light bulbs. Some new incandescent products could be introduced by the effective dates of the law, including a bulb by General Electric that will decrease the amount of energy required. Non-incandescent bulbs, such as compact fluorescent (CFL) and light emitting diodes (LED) already meet the Tier I standards introduced.

Induction Lighting. The internal electrode less lamp or induction light is a gas discharge lamp in which the power required to generate light is transferred from outside the lamp envelope to the gas inside via an electric or magnetic field, in contrast with a typical gas discharge lamp that uses internal electrodes connected to the power supply by conductors that pass through the lamp envelope.

Installed. Any legal installation of outdoor light fixtures after the effective date of the ordinance codified in this chapter.

Light Emitting Diode (LED) Source. An electronic semiconductor device that emits light when an electric current passes through it. They are considerably more efficient than traditional light bulbs and provide for long lamp life. LEDs are used in many applications such as flat-screen video displays, indoor and exterior lighting fixtures.

Light Pollution. An unwanted effect of manmade outdoor lighting that contributes to the effects of sky glow, light trespass, and/or glare.

Light Trespass. An undesirable condition in which exterior light is cast where it is not wanted.

Lumen. A unit measurement of a light bulb, arc tube or light emitting diodes (LED) light output expressed as initial lumens or lumen output.

Luminaire. A complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply. (Also referred to as fixture.) The complete lighting unit, including the lamp, the fixture, and other parts.

Mercury Lamp. The mercury vapor lamp is a high intensity discharge lamp. It uses an arc through vaporized mercury in a high pressure tube to create very bright light directly from its own arc. Mercury lamps are not approved in the city of Palm Desert.

Metal-Halide Lamp. This type of lamp is also known as an MH lamp. It is an HID lamp (high intensity discharge), which means it provides most of its light from the electric arc within a small discharge tube. It is becoming increasingly popular due to its good quality white light and good efficiency. The most prominent use of the MH lamp is in stadiums and sports fields. It is also used widely for parking lots and street lighting in urban areas.

Mounting Height. The distance from the finished grade to the top of the lighting fixtures including any lighting fixture foundation.

Municipal. An area, street or facility which is owned or managed by the city of Palm Desert or is associated with a city of Palm Desert facility such as parks, recreation facilities or a city-owned or managed building such as City Hall.

New Development Area. Any development in previously unimproved areas. This includes new developments generally recognized as planned housing, industrial or commercial developments.

Non-Cutoff. A luminaire having a light distribution in which no limitation of light intensity occurs above ninety degrees above nadir.

Off-Street Lighting. Lighting for off-street parking in public, private, municipal or restricted parking areas. All lighting positioned off the street in public and private properties, i.e., parking lots, building lighting, walkway lighting, parks, and fenced yards.

Outdoor Light Fixture. Any lighting product intended and designed for outdoor use to provide illumination of a defined area or subject.

Parking Area. An area, other than a public street, designed or used primarily for parking.

Pedestrian Scale. A luminaire mounted at no more than ten feet above finished grade and intended to illuminate a walking path or small pedestrian area.

Photometry or Photometric. The quantitative measurement of light level and distribution. This information is developed with programs designed to illustrate foot-candles numerically on a project site plan.

Plasma Lighting (LEP). Plasma lamps are a type of gas discharge lamp energized by radio frequency (RF) power which produce high illuminance for exterior applications such as streets, large big box parking lots and sports lighting applications. The LEP lamps have a life ranging from thirty thousand to fifty thousand hours, a CRI of 95. Their LEP lamp is able to operate up to fifty percent more efficiently than conventional HID (high-intensity discharge lamp) lamps while generating the same maintained lumens as a conventional four hundred watt system at about half the energy. The technology also allows the lamp to be dimmed to fifty percent of the rated lamp lumen output.

Recreational Facilities. Public, municipal or private facilities designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Outdoor recreational facilities include, but are not limited to, fields or stadiums for softball, baseball, football, soccer, golf courses, driving ranges and other "field sports," and courts for tennis, basketball, volleyball, handball and other "court sports."

Reflector. Controlling light output by means of reflection (mirror).

Refractor. Controlling light output by means of refraction (lens).

Semi-Cutoff. Outdoor light fixtures designed or constructed so that ninety-five percent of the light rays emitted by the fixture are projected below the horizontal plane passing through the photometric center of the fixture from which the light is emitted. A luminaire light distribution in which the candela per one thousand lamp lumens does not numerically exceed fifty (five percent) at or above an angle of ninety degrees above nadir, and two hundred (twenty percent) at or above a vertical angle of eighty degrees above nadir. This applies to all lateral angles around the luminaire.

Sky Glow or Urban Sky Glow. Any adverse effect of manmade light that produces direct lighting into the sky from the lamp compartment that is not shielded.

Street Lighting. Lighting for all streets or highways including intersections.
(Ord. 1272 § 1, 2014)

Section 9.80.020 pertaining to permitted uses, Sections 9.100.120 and 9.100.130 pertaining to sidewalk sales and special events, or where permitted by a conditional use permit.

- C. Permit Required. Holiday period storage can be included in a site development permit, when a commercial building is constructed; or with a minor use permit, if holiday period storage is to occur after a commercial building has been constructed and occupied without inclusion of holiday period storage in the site development permit application. If approved, holiday period storage can occur every year subsequent to the approval without renewal, provided that the location, number of storage facilities and fencing, if any, are consistent with the original approval.
- D. Locational Criteria. Holiday period storage must occur entirely within enclosed facilities (including storage containers or sheds) located at the rear of and immediately adjacent to the business they serve. Holiday period storage shall not obstruct vehicular or pedestrian travel ways, trash enclosures, or other permanent components of a business or building.
- E. Site Plan Required. The site development permit or minor use permit application shall be accompanied by a site plan which clearly shows the location, type and number of storage facilities to be provided, their location, and any proposed fencing.
- F. Findings. The findings required under Section 9.210.020 shall apply.
- G. Revocation of Permit. The director may revoke a permit allowing holiday period storage if the director finds that the conditions of approval, site plan or other documentation provided in the original approval have not been implemented or have been modified without city approval.
- H. Duration of Storage. Under no circumstances shall holiday period storage occur on any commercial site before November 1 or after January 15 of any year.

(Ord. 584 § 2, 2020; Ord. 550 § 1, 2016; Ord. 338 § 1, 2000; Ord. 293 § 1, 1996; Ord. 284 § 1, 1996)

9.100.150 - Outdoor lighting.

- A. Purpose. This section is intended to provide standards for outdoor lighting which allow adequate energy efficient lighting for public safety while minimizing adverse effects of lighting, such as lighting which:
 - 1. Has a detrimental effect on astronomical observations; and/or
 - 2. Inefficiently utilizes scarce electrical energy; and/or
 - 3. Creates a public nuisance or safety hazard.
- B. Applicability. All outdoor artificial illuminating devices shall be installed and operated in conformance with the provisions of this section, plus any Uniform Building Codes presently or subsequently administered or adopted by the city. Any language contained therein which may

conflict with this section shall be construed as consistent with this section.

- C. **Parking Lot Lighting.** Parking lot lighting shall conform to this section and to Section 9.150.080 (Parking facility design standards).
- D. **Alternate Materials and Methods of Installation.** The provisions of this section are not intended to prevent the use of any material or method of installation not specifically prescribed by this section provided any such alternate has been approved. The building official may approve any such alternate provided that findings can be made that the proposed design, material or method:
 - 1. Provides approximate equivalence to those specific requirements of this section; or
 - 2. Is otherwise satisfactory and complies with the intent of this section.
- E. **Definitions.** See Chapter 9.280.
- F. **General Requirements.**
 - 1. **Shielding.** All exterior illuminating devices, except those exempt from this section and those regulated by subsection G of this section shall be fully or partially shielded as required in the table contained in this subsection.
 - a. "Fully shielded" means the fixture shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted, thus preventing the emission of light above the horizontal.
 - b. "Partially shielded" means the fixture shall be shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp), minimizing the emission of light rays above the horizontal.
 - 2. **Filtration.** Those outdoor light fixtures requiring a filter per the table following shall be equipped with a filter consisting of a glass, acrylic or translucent enclosure. Quartz glass does not meet this requirement.
 - 3. **Height.** Building-mounted lights shall be installed below the eave line or below the top of wall if there are no eaves. Pole or fence-mounted decorative and landscape lights shall be located no more than eight (8) feet above grade.
 - 4. All exterior lighting shall be located and directed so as not to shine directly on adjacent properties.
 - 5. **Requirements for Shielding and Filtering.** The requirements for shielding and filtering light emissions from outdoor light fixtures shall be as set forth in the following table.

Table 9-7 Requirements for Shielding and Filtering of Outdoor Lighting

Fixture Lamp Type	Shielding Requirement	Filtering Requirement
Low pressure sodium ²	Partially	None
High pressure sodium	Fully	None
Metal halide ³	Fully	Yes
Fluorescent	Fully ⁴	Yes ⁵
Quartz ⁶	Fully	None
Incandescent, greater than 160 watts	Fully	None
Incandescent, 160 watts or less	None	None
Mercury vapor	Fully ⁷	Yes ⁷
Fossil fuel	None	None
Glass tubes filled with neon, argon or krypton	None	None
Other sources	As required by the building official	

Notes:

1. Most glass, acrylic or translucent enclosures satisfy these filter requirements. Quartz glass does not meet this requirement.
2. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.
3. Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.) unless fully shielded. Metal halide lamps shall be in enclosed luminaries.
4. Outdoor advertising signs of the type constructed of translucent materials and wholly

illuminated from within do not require shielding.

5. Warm white and natural lamps are preferred to minimize detrimental effects.

6. For the purposes of this section, quartz lamps shall not be considered an incandescent light source.

7. Recommended for existing mercury vapor fixtures. The installation of new mercury vapor fixtures is prohibited.

G. Prohibited Lighting.

1. Outdoor Building/Landscaping Illumination. The unshielded outdoor illumination of any building, landscaping, signing, or other purpose is prohibited except with incandescent fixtures less than one hundred sixty (160) watts, fossil fuels, and/or glass tubes (see table in subsection F of this section).
2. New Mercury Vapor Installations. The installation of mercury vapor fixtures is prohibited. All existing mercury vapor lights installed shall be fully shielded.

H. Procedures for Compliance.

1. Applications.
 - a. Any individual intending to install outdoor lighting fixtures (other than incandescent of one hundred sixty (160) watts or less) shall submit an application to the city providing evidence that the proposed work will comply with this section.
 - b. Any individual applying for a building permit and intending to install outdoor lighting fixtures (other than incandescent of one hundred sixty (160) watts or less) shall as a part of the application submit such evidence as may be requested that the proposed work will comply with this section.
 - c. Utility companies, lighting or improvement districts entering into a duly approved contract with the city in which they agree to comply with the provisions of this section shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.
2. Contents of Application. The application shall contain, but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in the city regulations for the required permit:
 - a. Plans indicating the location on the premises and the type of illuminating devices, fixtures, lamps, height, supports, and other devices.
 - b. Description of the illuminating devices, fixtures, lamps, supports, shielding, filtering and other devices. This description may include but is not limited to, wattage, lighting output, manufacturers catalog cuts, and drawings (including sections where required).

- c. The above required plans and descriptions shall be sufficiently complete to enable the building official to readily determine whether compliance with the requirements of this section will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.
 3. Issuance of a Permit. Upon the determination that the installation will be in compliance with the requirements of this section, the building official shall issue a permit for installation of the outdoor lighting fixtures, to be installed per the approved application.
 4. Appeals. Appeal procedures shall be in accordance with Section 9.200.110 of this code.
 5. Amendment to Permit. Should the applicant desire to substitute outdoor light fixtures or lamps after a permit has been issued, the applicant must submit all changes to the building official for approval, with adequate information to assure compliance with this section.
- I. Exemptions.
1. Nonconforming Fixtures. All outdoor light fixtures existing and fully and legally installed, prior to the effective date of Ordinance 148 (the original ordinance adopting these outdoor lighting regulations) may remain in use as nonconforming structures indefinitely provided, however, that no change in use, replacement, structural alteration, and (after abandonment) no restorations of outdoor light fixtures other than bulb replacement shall be made unless it thereafter conforms to the provisions of these regulations.
 2. Fossil Fuel Light. Light fixtures using fossil fuel (i.e., light produced directly or indirectly by the combustion of natural gas or other utility type fossil fuels) are exempt from the requirements of this section.
 3. Government Facilities. Those facilities and lands owned and operated or protected by the federal government, the state of California, the county of Riverside, or the city of La Quinta are exempted by law from all requirements of this section. Voluntary compliance with the intent of this section at those facilities is encouraged.
 4. Recreational Facilities. The illumination of outdoor recreational facilities, public and private, is exempt from the requirements of this section with the following limitations:
 - a. The light fixtures for outdoor recreational facilities shall meet the shielding requirements in the table in subsection F of this section.
 - b. No such outdoor recreational facility shall be illuminated by nonconforming means after 10:00 p.m. except to conclude a specific recreational or sporting event or any other activity conducted at a ballpark, outdoor amphitheater, arena, or similar facility

in progress prior to 10:00 p.m.

J. Temporary Exemptions.

1. Request for Temporary Exemptions. Any individual may submit application for a minor use permit, on a form prepared by the planning division, to the building official for a temporary exemption to the requirements of this section. Such exemptions shall be valid for thirty (30) days. The request for temporary exemption shall contain, at a minimum, the following information:
 - a. Specific exemptions and justification for exemptions requested;
 - b. Type, use and hours of operation of exterior light involved;
 - c. Duration of time for requested exemption;
 - d. Type of lamp and calculated lumens;
 - e. Total wattage of lamp or lamps;
 - f. Proposed location and heights of exterior light;
 - g. Physical size of exterior lights and type of shielding and/or filtering provided;
 - h. Previous temporary exemptions, if any.
2. Special Exemption. The building official may grant a special exemption to the requirements of the table in subsection F of this section only by approval of minor use permit which includes a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that will otherwise suffice. The request for a special exemption shall contain, at a minimum, the information specified in subsection (J)(1)(a) through (g) of this section.
3. Additional Information. In addition to the information required in subsection (J)(1) of this section, the building official may request any additional information which would enable the building official to make a reasonable evaluation of the request for temporary exemption.
4. Appeal for Temporary Exemption. The building official, within five (5) days from the date of the properly completed request for temporary exemption, shall approve or reject in writing the request. If rejected, the individual making the request shall have the right to appeal to the planning commission for review pursuant to the procedures set forth in Section 9.200.110 of this code.
5. Extension of Temporary Exemption. Any individual requesting a temporary exemption for a period greater than thirty (30) days, or an extension beyond the original thirty (30)-day period for a temporary exemption shall apply for a minor use permit to the planning commission and city council. The conditional use permit application shall contain (in

addition to other use permit requirements) the information specified in subsections (F)(1) through (F)(3) of this section.

K. Public Nuisance. Any light fixture installed after the effective date of the ordinance codified in this Zoning Code which violates the provisions of this section constitutes a public nuisance and shall be abated.

L. Premises Identification.

1. Street numbers or addresses assigned by the city or the county shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property.
2. All dwelling units shall have a wall-mounted internally or externally illuminated address sign displayed in a prominent location. The illumination source for the address sign shall be controlled by a photocell sensor or a timer. As an option, the address sign may be attached to a single-residence mail box pedestal with the same illumination source as stated above. If this option is chosen, both sides of the mailbox shall have said address numbers displayed.

M. Display Lighting Use. With the approval of a minor use permit, searchlights and laser lights may be used. Display lighting is defined as a beam of light projected into the sky. This type of lighting shall comply with the following requirements:

1. Permits shall be issued for grand openings only. A grand opening shall commemorate an initial building or project opening, a change in ownership of an existing business, or remodel/enlargement of over fifty percent (50%) of the floor area or a new business in an existing building.
2. The only uses allowed to apply for this permit are: shopping centers with not less than fifty thousand (50,000) square feet of least area, hotel with fifty (50) plus rooms, or part of an automall.
3. The application for a permit must be received two (2) weeks prior to the event commencing.
4. Hours of operation should be limited from dusk to 10:00 p.m.
5. Use of the display light(s) is limited to a maximum period of six (6) days per calendar year.
6. Section 5.64.060 of the municipal code, regarding use of searchlights, shall be complied with.
7. Use of display lights may be in conjunction with an entertainment event or similar activity.
8. FAA approval shall be obtained prior to each event, if required.

(Ord. 564 § 1, 2017; Ord. 550 § 1, 2016; Ord. 361 § 1, 2001; Ord. 325 § 1, 1998; Ord. 284 § 1, 1996)

§ 17.40.170. Outdoor lighting standards.

- A. Intent and Purpose. This section is intended to provide standards for outdoor lighting so as to maintain ambient lighting levels as low as possible in order to enhance the City's community character and charm and maintain dark skies; provide for good visibility while maintaining minimum glare and spillage onto other properties or into the sky; and maintain safety, utility, security and productivity while enhancing nighttime enjoyment of property and the night skies.
- B. Applicability. All outdoor artificial lighting devices shall be installed and operated in accordance with the provisions of this section, plus any Uniform Building or Uniform Electrical Codes, NEC codes, NFPA codes or any other code presently or subsequently administered or adopted by the City. Any language contained therein which may conflict with this section shall be construed in a manner that is consistent with this section.
- C. Alternative Materials and Methods of Installation. The provisions of this section are not intended to prevent the use of any material or method of installation not specifically prescribed by this section provided any such alternative has been approved by the Building Official. Any alternative method must meet the following:
1. The proposed design, material or method provides protection that is equivalent to the protection specified in this section; and
 2. The proposed alternative method otherwise complies with the intent of this section.
- D. Definitions. For the purposes of this section, certain terms are defined as follows:
- "Display lighting" means a beam of light projected into the sky.
- "Individual" means any private individual, tenant, lessee, owner, or any commercial entity including, but not limited to, companies, partnerships, joint ventures or corporations.
- "Installed" means the initial installation of outdoor light fixtures defined in this section following the effective date of the ordinance codified in this section.
- "Outdoor lighting ware" means outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and flood lights for:
- a. Buildings and structures.
 - b. Recreational areas.
 - c. Parking lot lighting.
 - d. Landscape lighting.
 - e. Billboards and signs.

- f. Street lighting.
- g. General area and yard lighting.

E. General Requirements.

1. Shielding. All exterior illuminating devices, except those exempt from this section and those regulated by subsection F of this section shall be fully or partially shielded as required in Table 17.40.170 of this section.
 - a. “Fully shielded” means the fixture shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted, thus preventing the emission of light above the horizontal.
 - b. “Partially shielded” means the fixture shall be shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp), minimizing the emission of light rays above the horizontal.
2. Filtration. Those outdoor light fixtures requiring a filter per Table 17.40.170, shall be equipped with a filter consisting of a glass, acrylic or translucent enclosure. Quartz glass does not meet this requirement.
3. Requirements for Shielding and Filtering. The requirements for shielding and filtering light emission from outdoor light fixtures shall be as set forth in Table 17.40.170.

TABLE 17.40.170 REQUIREMENTS FOR SHIELDING AND FILTERING OF OUTDOOR LIGHTING (see also footnotes following table)		
Fixture Lamp Type	Shielding Requirement	Filtering Requirement
Low pressure sodium ⁽¹⁾	Partially	None
High pressure sodium	Fully	None
Metal halide ⁽²⁾	Fully	Yes
Fluorescent	Fully ⁽³⁾	Yes ⁽⁴⁾
Quartz ⁽⁵⁾	Fully	None
Incandescent, greater than 160 watts	Fully	None
Incandescent, 160 watts or less	None	None
Mercury vapor	Fully ⁽⁶⁾	Yes
Fossil fuel	None	None

TABLE 17.40.170
REQUIREMENTS FOR SHIELDING AND FILTERING OF OUTDOOR
LIGHTING

(see also footnotes following table)

Fixture Lamp Type	Shielding Requirement	Filtering Requirement
Glass tubes filled with neon, argon or krypton	None	None
Other sources	As required by the Building Official	As required by the Building Official

- (1) This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.
- (2) Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.) unless fully shielded. Metal halide lamps shall be in enclosed luminaries.
- (3) Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding.
- (4) Warm white and natural lamps are preferred to minimize detrimental effects.
- (5) For the purposes of this section, quartz lamps shall not be considered an incandescent light source.
- (6) Recommended for existing mercury vapor fixtures. The installation of new mercury fixtures is prohibited.

F. Prohibited Lighting.

1. Outdoor Building/Landscaping Illumination. The unshielded outdoor illumination of any building, landscaping, signing, or other purpose is prohibited except with incandescent fixtures less than 160 watts, fossil fuels, and/or glass tubes (see Table 17.40.170 in this section).
2. New Mercury Vapor Installations. The installation of mercury vapor fixtures is prohibited. All existing mercury vapor lights installed shall be fully shielded.
3. Illuminated Awnings. The use of lighting inside a transparent or translucent ground or wall mounted awning is prohibited.

G. Procedures for Compliance.

1. Applications.

- a. Any individual intending to install outdoor lighting fixtures (other than incandescent lights of 160 watts or less) shall submit an application to the Building Department providing evidence that the proposed work will comply with this section.
- b. Any individual applying for a building permit and intending to install outdoor lighting fixtures (other than incandescent lights of 160 watts or less) shall, as a part of the application, submit such evidence as may be requested to assure that the proposed work complies with this section.
- c. Utility companies, lighting or improvement districts entering into a duly approved contract with the City in which they agree to comply with the provisions of this section shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.

2. Contents of Application. The application shall contain, but shall not necessarily be limited to, the following:

- a. Plans indicating the location on the premises, the height of the supports and fixtures, and the type of illuminating devices, fixtures, lamps, supports and other devices.
- b. Description of the illuminating devices, fixtures, lamps, supports, shielding, filtering and other devices. This description may include, but is not limited to, wattage, lighting output, manufacturer's catalog cuts, and drawings (including sections where required).
- c. The above required plans and descriptions shall be sufficiently complete to enable the Building Official to readily determine whether compliance with the requirements of this section will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.

3. Issuance of a Permit. Upon the determination that the installation will be in compliance with the requirements of this section, the Building Official shall issue a permit for installation of the outdoor lighting fixtures, to be installed per the approved application.

4. Appeals. Any decisions of the Building Official may be appealed within 15 days of the decision. Selection of a Hearing Officer and the conduct of the hearing shall be pursuant to applicable sections of Chapter 4.36 of the Desert Hot Springs Municipal Code, as may be amended. The decision of the Hearing Officer shall be final.

5. Amendment to Permit. Should the applicant desire to substitute outdoor light fixtures or lamps after a permit has been issued, the applicant must submit all changes to the Building Official for approval. Such application for amendment shall contain adequate information to assure compliance with this section.

H. Exemptions.

1. Nonconforming Fixtures. All outdoor light fixtures existing and fully and legally installed, prior to September 1, 2002, may indefinitely remain in use as nonconforming structures provided that no change in use, replacement, structural alteration, or restoration of outdoor light fixtures, other than bulb replacement, is made unless such change conforms to the regulations of this section.
2. Fossil Fuel Light. Light fixtures using fossil fuel (i.e., light produced directly or indirectly from the combustion of natural gas or other utility type fossil fuel) are exempt from the requirements of this section.
3. Government Facilities. Those facilities and lands owned and operated or protected by the Federal government, the State of California, the County of Riverside, the Palm Springs Unified School District or the City of Desert Hot Springs are exempted by law from all requirements of this section. Voluntary compliance with the intent of this section at those facilities is encouraged.
4. Recreational Facilities. The illumination of outdoor recreational facilities, public and private, is exempt from the requirements of this section with the following limitations:
 - a. The light fixtures for outdoor recreational facilities shall meet the shielding requirements in Table 17.40.170 of this section.
 - b. No such outdoor recreational facility shall be illuminated by nonconforming means after 10:00 p.m. except to conclude a specific recreation or sporting event or any other activity conducted at a ballpark, outdoor amphitheater, arena, or similar facility in progress prior to 10:00 p.m.

I. Temporary and Special Exemptions.

1. Request for Temporary Exemptions. Any individual may submit application for a minor use permit, on a form prepared by the Community Development Department, to the Building Official for a temporary exemption to the requirements of this section. Such exemptions shall be valid for 30 days. The request for temporary exemption shall contain, at a minimum, the following information:
 - a. Specific exemptions and justification for the exemptions requested;
 - b. Type, use and hours of operation of the exterior light involved;
 - c. Duration of time for the requested exemption;

- d. Type of lamp and calculated lumens;
 - e. Total wattage of the lamp or lamps;
 - f. Proposed location and height of exterior lights;
 - g. Physical size of the exterior lights and the type of shielding and/or filtering provided;
 - h. Previous temporary exemptions, if any.
2. **Special Exemption.** The Community Development Director may grant a special exemption to the requirements of Table 17.40.170 in this section only by approval of a minor exception permit which includes, in addition to the findings required in Section 17.116.040 of the Zoning Ordinance, a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that will otherwise suffice. The request for a special exemption shall contain, at a minimum, the information specified in subsections (I)(1)(a) through (g) of this section.
3. **Additional Information.** In addition to the information required in subsection (I)(1) of this section, the Building Official or Community Development Director may request any additional information which would enable the Building Official or Community Development Director to make a reasonable evaluation of the request for temporary exemption or special exemption.
4. **Appeal of a Temporary Exemption or Special Exemption.** The Building Official or Community Development Director, within 5 days from the date of the properly completed request for an exemption, shall approve or reject in writing the request. If rejected, the individual making the request shall have the right to appeal for review pursuant to the applicable sections of Chapter 4.36 of the Desert Hot Springs Municipal Code, as may be amended. The decision of the Hearing Officer shall be final.
5. **Extension of Time for a Temporary Exemption.** Any individual requesting a temporary exemption for a period greater than 30 days, or an extension beyond the original 30-day period for a temporary exemption, shall apply to the Planning Commission for an extension. The extension request shall contain (in addition to other permit requirements) the information specified in subsection G of this section.
- J. **Display Lighting Use.** With the approval of the City Council, searchlights and laser lights may be used. This type of lighting shall comply with the following requirements:
- 1. Permits shall be issued for grand openings only or in conjunction with an entertainment event or similar activity. A grand opening shall commemorate an initial building or project opening, a change in ownership of an existing business, or remodel/enlargement of over 50% of the floor area or a new business in an existing building.

2. The only uses allowed to apply for this permit are: shopping centers with not less than 50,000 square feet of leased area, hotel with 50 rooms or more or automobile dealerships that sell new cars.
 3. The application for a permit must be received 30 days prior to the event commencing.
 4. Hours of operation shall be limited from dusk to 10:00 p.m.
 5. Use of the display light(s) is limited to a maximum period of 10 days per calendar year.
 6. Approval of the Federal Aviation Agency, if required, shall be obtained prior to each event.
- K. Public Nuisance. Any light fixture installed after December 1, 2002 which violates the provisions of this section constitutes an infraction and a public nuisance and shall be abated.
- (Prior code § 159.20.030(14); Ord. 69510-15-19)

CHAPTER 22.12 LIGHTING STANDARDS

§ 22.12.010. Purpose and intent.

The intent of this Chapter is to restrict the installation and permitted use of certain light fixtures which have a detrimental effect on adjacent properties. This Chapter is also intended to mitigate glare and light overflows originating from single-family dwelling units. This Chapter does not require any replacement of light fixtures already installed and operating.

(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.020. Conformance.

All artificial outdoor light fixtures, including signs as permitted in Title 17 (Sign Regulations) shall be installed in conformance with the provisions of this Chapter and the applicable provisions of the ordinances of the City of Indian Wells regulating the installation of such fixtures. All applications for Architectural and Landscape Committee or Community Development Department review (Section 21.12.050) shall substantiate that the provisions of this Chapter have been met. The Architectural and Landscape Committee and the Community Development Department shall consider the intent of this Chapter when reviewing all such applications.

(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.030. Definitions.

"Outdoor light fixtures" means outdoor artificial illuminating devices, installed or portable, used for flood lighting, general illumination or advertisement. Such devices shall include, but are not limited to, search, spot, and flood lights for: (1) buildings and structures; (2) recreational facilities; (3) parking lots and vacant property used for temporary parking; (4) landscape lighting; (5) outdoor advertising signs; (6) street lighting on private streets; (7) walkway lighting; and (8) miscellaneous and other outdoor temporary uses.

"Commercial lighting" means all lighting used for commercial or business activities such as outdoor identification or advertising signs (also lighting used to illuminate signs that are not directly connected to the signage), outdoor eating areas associated with restaurants or retail establishments (Community Commercial (CC), Resort Commercial (RC), and Office Professional (OP) zone designations), parking lot lighting, security lighting, and other similar applications.

"Residential lighting" means all outdoor lighting originating from residential zoning designations and clubhouse facilities for uses such as identification, illuminations for decorative purposes, landscaping, walkways, and security. Examples of Class II lighting include, but are not limited to, the illumination of flag poles, trees, fountains, statuary, and building walls.

"Community development director" means the Director of Community Development of the City of Indian Wells or designated representative.

"Glare" means the harsh appearance of a direct source of light as discernible from adjacent properties.

"Individual" means any private individual, tenant, applicant, agent, lessee, owner or any commercial entity, including, but not limited to, companies, partnerships, joint ventures or corporations.

"Installed" means any installation of outdoor lighting fixtures after the effective date of this Chapter. Projects with construction plans approved by the City prior to the effective date of this Chapter are excluded from installation in compliance with this Chapter.

"Light" means that part of the electromagnetic radiation in the wavelength range visible to the naked eye.

"Lighting" means an artificial supply of light.

"Luminaire" means a complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute light on any property, to position and protect the lamps and to connect the lamps to the power supply.

"Outdoor advertising signs" means business name identification or advertising signs permitted per Title 17 (Sign Regulations)

"Outdoor recreational facilities" means public or private facilities as described in the City of Indian Wells Zoning Code Sections 21.08.060 (Amusement Park), 21.08.260 (Golf Course), 21.08.421 (Recreational Facilities)

"Shielded" means provided with a protective cover or shelter as to obscure observation.

"Fully shielded" means outdoor light fixtures shielded or constructed so that light rays emitted by the fixtures are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

"Partially shielded" means outdoor light fixtures designed or constructed so that ninety (90) percent of the light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point of the shield.

"String lighting" means any type of lighting that utilizes more than one (1) lamp or bulb which are connected by continuous means and installed in a permanent manner. The power of the bulbs must not exceed 1.5 watts. The lamps or bulbs must not be flashing unless they are temporary "Holiday Decorations." Refer to Sections 22.12.060(d) and 22.12.070(d).

(Ord. 391 § 1, 1996; Ord. 324 § 1 [Exhibit A], 1993; Ord. 506 § 1, 2002)

§ 22.12.040. General installation requirements.

- (a) Outdoor Advertising Signs. Lighting fixtures used to illuminate an outdoor advertising sign as permitted under Title 17 (Sign Regulations) shall comply with the lamp source and shielding requirements of Section 22.12.050 and the prohibitions of Section 22.12.060.
- (b) Shielding. All non-exempt outdoor light fixtures shall be shielded as required in Section 22.12.050.

(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.050. Lighting standards and submission of plans and evidence of compliance.

Lamp source and shielding of light emissions for outdoor light fixtures shall be subject to the following requirements, which shall be sufficiently complete to enable the City to readily determine whether compliance with the requirements of this Chapter will be secured.

- (a) Commercial and Business Activities. All new development in Community Commercial (CC), Resort Commercial (RC), and Office Professional (OP) zone designations shall have an exterior lighting plan prepared by an engineer registered in the State of California and submitted to the Community Development Director or designee for review and approval prior to the installation of any luminaire.
 - (1) Required Objectives of Exterior Lighting Plan. The plan shall achieve the following objectives:
 - (i) Avoid interference with reasonable use of adjoining properties;
 - (ii) Minimize on-site and off-site glare;
 - (iii) Provide adequate on-site operational and security lighting;
 - (iv) Limit luminaires' height to avoid excessive illumination; and
 - (v) Provide structures which are compatible with the total design of the proposed facility.
 - (2) Required Elements of Exterior Lighting Plan. The plan shall include the following elements:
 - (i) A photometric display indicating the point by point candle layout to extend ten (10) feet beyond all property lines.
 - (ii) Maximum overall height of any luminaire shall not be more than fourteen (14) feet in or adjacent to residential areas and not more than eighteen (18) feet in non-residential areas.
 - (iii) Luminaire shall possess sharp cut-off qualities at property lines.
 - (iv) There shall be no more than a seven to one (7:1) ratio of level of illumination shown (maximum to minimum ratio between any two (2) points).
 - (v) There shall be no mercury vapor or halide lighting fixtures.
 - (vi) There shall be a minimum of one (1) foot-candle illumination.
 - (vii) Operation of any lighting other than security lighting beyond normal business hours is prohibited.

- (b) Residential Units. All new development located in a residential zone designation shall submit a lighting plan to the Planning Department for review and approval in accordance to Chapter 21.60 of this Municipal Code. The application for a design review approval involving non-exempt outdoor light fixtures shall include evidence that the proposed work will comply with this Chapter.
- (1) Required Information for Lighting Plan. The submission shall contain, but not be limited to, the following:
- (i) The location of the site where the outdoor light fixtures will be installed;
 - (ii) Plans indicating the location and type of fixtures on the premises; and
 - (iii) A description of the outdoor light fixtures, including, but not limited to, manufacturer's catalog cuts and drawings, height from pad grade, method of full or partial shielding, etc.
- (2) Requirement for Completion. The above required plans and descriptions shall be sufficiently complete to enable the City to readily determine whether compliance with the requirements of this Chapter will be secured.
- (c) Additional Standards. When lighting is "Allowed" by this Chapter, it must be fully shielded where feasible and partially shielded in all other cases. All outside lighting shall be so arranged and shielded as to prevent any glare or reflection and any nuisance or hazardous interference of any kind on adjoining streets or property.
- (1) Tree-Mounted Lights. Tree-mounted lighting shall be permitted within the public right-of-way or any commercial or residential land use zone of the City, upon compliance with the following minimum standards:
- (i) Maximum overall height of any tree-mounted luminaire shall not be more than twelve (12) feet from the ground surface. No more than one (1) luminaire per tree shall be permitted. A tree-mounted luminaire shall be only permitted for the up-lighting of a tree crown or canopy.
 - (ii) Any tree-mounted luminaire (including electrical conduit) shall be painted to match the tree trunk on which it is erected.
 - (iii) Any tree-mounted luminaire shall be fully shielded and positioned in such a manner as to avoid interference with reasonable use of adjoining properties and minimize on-site and off-site glare.
 - (iv) All tree-mounted luminaires (including electrical conduit) must be kept in "good condition" at all times. Chipped or faded paint exposed wiring, broken or unsecured conduit mounts or broken luminaire (housing or lens) does not constitute "good condition."
- (2) No lighting for tennis courts owned by individuals for their own use is permitted.
- (3) For residential units, string lighting may be installed as long as the permanent

manner of installation is an integral part of the overall design and approved by the Review Authority under Chapter 21.60. The lamps or bulbs must not be flashing unless they are temporary "holiday decorations." Refer to Sections 22.12.060(d) and 22.12.070(d).

(Ord. 506 § 1, 2002; Ord. 727 § 5, 2020)

§ 22.12.060. Prohibitions.

The following are strictly prohibited:

- (a) Mercury Vapor Lights. The installation of any mercury vapor light(s) is strictly prohibited.
- (b) Halide Lights. The installation of any halide light(s) is strictly prohibited.
- (c) Searchlights for Advertising Purposes. Operation of searchlights for advertising purposes is strictly prohibited.
- (d) Flashing Lights. For string lighting installations, as outlined under Section 22.12.050(b)(1)(v), the lamps or bulbs, as defined in Section 22.12.030(p), must not be flashing unless they are temporary "Holiday Decorations" as outlined in 22.12.070(d).

(Ord. 391 § 1, 1996; Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.070. Permanent exceptions.

- (a) Non-conformance. All outdoor light fixtures existing and legally installed prior to the effective date of this Chapter are exempt from the requirements of this Chapter, except when existing luminaries are reconstructed or replaced, such reconstruction or replacement shall be in compliance with this Chapter.
- (b) Public Lighting. All outdoor lighting originating from public areas and ways including but not limited to public parks, rights-of-way, public art, outdoor recreational or other public facilities are exempt from the requirements of this Chapter.
- (c) Fossil Fuel Light. All outdoor light fixtures producing light directly by combustion of fossil fuels (such as kerosene lanterns and gas lamps) are exempt from the requirements of this Chapter.
- (d) Holiday Decorations. Lights used for holiday decorations are exempt from the requirements of this Chapter as long as they are not installed more than thirty (30) days before the holiday and are removed within thirty (30) days after the holiday.

(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.080. Temporary exemptions.

- (a) Information Required in Written Request. Any individual may submit a written request to the Director of Community Development for a temporary exemption from the requirements of this Chapter by filing for a Temporary Use Permit (TUP).

The filing fee for the TUP shall be dependent on whether a public hearing is required for the Temporary Use Permit as determined by the Community Development Director. The request for temporary exemption shall contain the following information:

- (i) Name, address and telephone number of the applicant;
 - (ii) Location of the outdoor light fixtures for which the exemption is requested;
 - (iii) Specific exemption(s) requested;
 - (iv) Use of the outdoor light fixtures involved;
 - (v) Duration of the requested exemption(s);
 - (vi) Type of outdoor light fixture to be used, including total lumen output, character of the shielding, if any;
 - (vii) Previous temporary exemptions, if any; and
 - (viii) Such other data and information as may be required by the Director of Community Development.
- (b) Response to Request. The Director of Community Development shall have fifteen (15) business days from the date of receipt of the request for temporary exemption to approve or disapprove the request. The applicant will be notified of the decision in writing.
- (c) Duration of Approval. The exemption shall be valid for not more than thirty (30) consecutive days from the date of issuance of approval. Exemptions are renewable for a period of not more than fifteen (15) consecutive days. Requests for renewal of a temporary exemption shall be processed in the same manner as the original request. Except as otherwise provided in this Chapter, no outdoor light fixtures shall be exempted from this Chapter for more than forty-five (45) days during any twelve (12) month period.
- (d) Appeals. An applicant or any interested person may file an appeal from the decision of the Community Development Director within ten (10) days of the date of mailing of the notice of decision to the applicant. The appellant may appeal that decision, in writing, to the City Council, on forms provided by the Community Development Department, which shall be accompanied by a filing fee set by the City Council. Upon receipt of a completed appeal, the City Clerk shall set the matter for hearing before the City Council not less than five (5) days nor more than thirty (30) days thereafter and shall give written notice of the hearing to the appellant and the Director of Community Development. The City Council shall render its decision within thirty (30) days following the close of the hearing on the appeal.
- (Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.090. Emergency exemptions.

This Chapter shall not apply to portable temporary lighting used by law enforcement or

emergency services personnel to protect life or property.
(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.100. Conflicts.

Where any provision of the statutes, codes or laws of the United States of America or the State of California conflicts with any provision of this Chapter, the most restrictive shall apply unless otherwise required by law.
(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.110. Violations and penalties.

It shall be unlawful for any individual to operate, erect, construct, enlarge, alter, replace, move, improve, or convert any lighting structure, or cause the same to be done, contrary to or in violation of any provision of this Chapter. Any individual violating any provision of this Chapter shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed, continued, or permitted.

Any individual convicted of a violation of this Chapter shall be (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred fifty dollars (\$250.00) for a second violation on the same site and perpetrated by the same individual. The third and any additional violations on the same site and perpetrated by the same individual shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six (6) months in jail, or both. Payment of any penalty herein shall not relieve any individual from the responsibility for correcting the violation.
(Ord. 324 § 1 [Exhibit A], 1993)

§ 22.12.120. Violations constitute public nuisance.

Any lighting structure erected, constructed, enlarged, altered, replaced, moved, improved, or converted contrary to the provisions of this Chapter shall be, and the same is hereby declared to be, unlawful and a public nuisance and subject to abatement in the manner provided by law. Any failure, refusal or neglect to obtain a permit as required by this Chapter shall be prima facie evidence of the fact that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, replacement, improvement, or conversion of a lighting structure erected, constructed, enlarged, altered, repaired, moved, improved, or converted contrary to the provisions of this Chapter.
(Ord. 324 § 1 [Exhibit A], 1993)

§ 9.08.100. Lighting.

- A. Purpose and Intent. The purpose of this section is to establish regulations and standards for outdoor lighting which will reduce light pollution and trespass generated by residential and non-residential lighting fixtures and devices, while maintaining dark skies. It is also the intent of this section to encourage, through the regulation of the types, construction, installation and uses of outdoor illuminating devices, lighting practices and systems to conserve energy without decreasing safety, security and productivity.
- B. Applicability. Lighting standards included in this chapter shall apply to:
 - 1. All new development;
 - 2. Any existing development or parking area providing five or more spaces, which is enlarged, reconstructed, altered or changed from its previous configuration shall be subject to illumination requirements included in this chapter;
 - 3. Existing land uses are exempt from specific lighting requirements included in this chapter, except that they are subject either to general lighting intensity standards (i.e., foot-candle requirements) in place prior to the effective date of the ordinance codified in this chapter or standards of a prior point by point or photometric lighting plan approved by the city. Any general modifications to existing on-site lighting structures or fixtures and/or intensity of lighting may be subject to the regulations provided in the entirety of this chapter as determined by the submittal and review of a new or revised photometric lighting plan.
- C. Minimum Development and Performance Standards. All exterior lighting shall meet the following requirements:
 - 1. Single-Family Residential Uses.
 - a. In all single-family residential areas, light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.
 - b. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except for recreational courts.
 - c. Lighting standards for recreational courts are subject to Section 9.09.190 "Swimming pools, spas and recreational courts," while approval of all recreational court lighting is subject to a point by point photometric lighting plan submittal.
 - 2. Multiple-Family Residential Uses.
 - a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such

lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.

- b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.
 - c. The maximum wattage for residential lighting shall be 100 watts incandescent or equivalent light intensity and 26 watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.
 - d. Parking lot lighting for designated multiple-family residential parking areas shall meet the requirements included in subsection (C)(4).
3. Nonresidential Uses.
- a. All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.
 - b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.
 - c. The maximum wattage for nonresidential uses shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.
4. Off-Street Parking.
- a. All parking lots or structures providing more than five spaces for use by the general public and their pedestrian links shall be provided with a minimum coverage of one foot-candle of light with a maximum of eight foot-candles on the parking or walkway surface, unless otherwise approved, for visibility and security. Such lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness. All wiring shall be underground.
 - b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.
 - c. The maximum wattage for parking lot lighting shall be 250 watts or equivalent light intensity of high intensity discharge (HID) lighting.
5. Public Parks, Trails and Athletic Field Lighting.
- a. The illumination of outdoor public recreational (sports) facilities, unless a specific recreational activity requiring the lighting is already in progress, is prohibited between midnight and dawn. Lighting shall be

provided as specified in this chapter. All lighting shall be designed and installed in compliance with the parks and community services document titled "Lighting Standards for Parks and Related Public Facilities."

- b. Public Parks. New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. New lighting for parks and related facilities should have a maximum of one-quarter foot-candle at five feet from property line.¹ Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths foot-candles of light at ground level at property line may be utilized.
- c. Trails. New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. Lighted trails not incorporated in the roadway shall be illuminated with a minimum maintained one-quarter foot-candle of light at ground level during the hours of darkness. New lighting for trails should have a maximum of one-quarter foot-candle at five feet from property line.² Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths foot-candles of light at ground level at property line may be utilized.
- d. Athletic Field Lighting. New lighting designs and retrofit fixtures shall contain horizontal cutoff to reduce vertical lighting above the fixture. The maximum lighting value that shall be used in lighting recreational athletic fields shall be an average maintained 50 foot candles. Minimum lighting values shall be per parks and community services standards. New lighting for athletic fields should have a maximum of one-quarter foot-candle at five feet from property line.³ Due to geographic difficulties or areas that require higher lighting levels for security, a maximum output of five-tenths foot-candles of light at ground level at property line may be utilized.

6. Street Lighting

- a. Purpose. The purpose of this section is to establish a set of guidelines with which to regulate the installation, operation and maintenance of overhead street lighting in the city. The city seeks to make provisions for street lighting that will be beneficial to city residents, and to provide for this lighting in an orderly, efficient and equitable manner. This section serves to establish a uniform standard for location of lights and illumination levels within the city, and clarifies responsibilities for payment of the various costs involved.
- b. General Requirements. Unless otherwise waived by the public works

1. Where the adjacent property line is another city facility, the foot-candles may exceed the maximum requirements.

2. Where the adjacent property line is another city facility, the foot-candles may exceed the maximum requirements.

3. Where the adjacent property line is another city facility, the foot-candles may exceed the maximum requirements.

director/city engineer for developments within the OS, HR, RR and R1 districts, the provision of streetlights shall be a requirement of all development proposals. Prior to acceptance and approval of a final map, a developer shall construct or enter into an agreement to construct a street lighting system. The following specifications apply to all street lighting in the city, on all public and private roadways. The city has adopted the Southern California Edison (SCE) scheduled rates LS-1, LS-2 and LS-3 or comparable Moreno Valley Utility (MVU) rate standards. Prior to any planning, design, or installation of street lighting, the developer shall confirm the applicable rate schedule with the city. Installation of street lighting shall comply with the provisions of Section 9.14.130 of this title for underground utility installation and shall be in accordance with the specifications of and plans approved by either SCE or MVU and the public works director/city engineer. The developer will pay all costs related to the installation of the street lighting and establish a method for the payment of maintenance and operations. All street lighting installed shall be solely for the purpose of illuminating the public way and shall conform to the city street lighting standards.

c. Luminaire and Lamp Requirements.

1. All street lighting in residential areas shall not exceed 9,500 lumen (100 watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.
2. All street lighting in nonresidential areas shall not exceed 9,500 lumen (100 watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.
3. All street lighting for arterial roadways shall not exceed 22,000 lumen (200 watt), high pressure sodium vapor (HPS) lamps, or equivalent, unless otherwise approved by the public works director/city engineer.
4. All street lighting shall utilize full-cutoff luminaires and be fully shielded.
5. All street lighting shall meet the current city street lighting standards, unless otherwise approved by the public works director/city engineer.

d. Specific Warrants for Lighting Locations. The city street lighting standards shall be used to determine locations for all street lighting, unless otherwise approved by the public works director/city engineer.

D. Lighting Height Limits.

1. Hillside Residential Areas. Outdoor on-site lighting on hillside residential

properties, except for street lighting, shall be mounted on a post with full cutoff not to exceed eight feet above finished grade, or on a building wall or structure not to exceed eight feet above finished grade and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to a single-family residential structure shall not exceed the height of the roof eave.

2. All Other Residential Areas. Outdoor on-site lighting within all other residential areas, except for street lighting, shall be on poles or other supports not exceeding 12 feet in height and fully shielded. Such lighting shall be designed to project downward and shall not create glare on adjacent properties. Lighting attached to all residential structures shall not exceed the height of the roof eave.
 3. Nonresidential Areas. Outdoor on-site lighting on commercial and industrial properties, except for street lighting, shall be mounted on a post and fully shielded not to exceed a maximum height of 30 feet, except within 100 feet of a residential use, where the post shall not exceed a maximum height of 20 feet. Posts shall be appropriately scaled for small buildings and lots. All lighting fixtures shall be in scale with the proposed building height. Lighting attached to a building shall not exceed the height of the roof eave or 20 feet, whichever is less.
 4. Walkway and Courtyard Lighting. Outdoor on-site lighting for all residential and nonresidential walkway and courtyard lighting shall be directed downward and mounted on a post or adjacent structure not to exceed a maximum height of 12 feet or the height of the eaves, whichever is less.
- E. Light Trespass Standards. Light trespass shall be minimized by complying with the following standards:
1. Light spillover or trespass for all multiple-family residential and nonresidential properties shall not exceed one-quarter foot-candle minimum maintained of illumination measured from within five feet of any property line.
 2. All exterior lighting shall be full-cutoff type and fully shielded to prevent spillover onto adjacent properties.
 3. All wall pack lighting shall be full-cutoff type and nonadjustable, with light directed away from surrounding properties. Wall packs shall incorporate internal house (wall) side shields, baffles or reflectors to minimize wall brightness.
- F. General Guidelines.
1. All exterior commercial doors during the hours of darkness shall be illuminated with one to a maximum of three foot-candles of maintained lighting.

2. Aisles and passageways related to and within a building complex, during the hours of darkness, shall be illuminated with a maximum of one-half to one foot-candle of maintained lighting.
3. All lighting shall be enclosed in vandal resistant fixtures.
4. Lighting shall be adequate to help ensure a safe environment, but not to cause excessive glare or intense light.
5. For safety, identification and convenience, the entrances of building and parking areas shall be illuminated.
6. In multifamily developments, laundry rooms shall be well-lit at all times as they are intended for tenant use. Lights shall be placed on photocell or automatic timers, and no switches shall be available to tenants to turn the lights off.

G. Lighting Curfew.

1. Except as specified elsewhere in this section, outdoor lighting systems in nonresidential areas shall be turned off or reduced by at least 50% beginning at ten p.m. or the close of business, whichever is later, until dawn or the start of business, whichever is earlier. The reduction of lighting shall be determined as an overall average for the parcel. When possible, the lighting system shall be turned off rather than reduced in lighting levels. Lighting shall be equipped with controls for photocell on and timer off.
2. All walkway, security and street lighting may remain on all night.

H. Lighting Prohibitions.

1. Overhead roof lighting is prohibited.
2. The installation of mercury vapor outdoor lighting fixtures is prohibited.
3. Adjustable outdoor lighting fixture mounts are prohibited. All fixtures shall be permanently installed so as to maintain shielding requirements, except that landscape and ornamental lighting may use flexible or adjustable mounting systems.
4. Lighting fixtures mounted in such a way as to aim only towards a property line are prohibited.
5. Lighting which interferes with the safe operation of a motor vehicle as determined by the police chief or city engineer is prohibited.
6. Billboard lighting which is pointed upward is prohibited.

I. Lighting Exemptions. The following lighting is exempt from this chapter:

1. Swimming pool lighting;

2. Lighting for exit signs and other illumination required by the building code;
 3. Lighting for exterior stairs and ramps, as required by the building code;
 4. Decorative lighting, as approved by the community development director;
 5. Holiday and temporary lighting;
 6. Low voltage landscape lighting;
 7. Lights used for the illumination of flags as required by law;
 8. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property;
 9. Motion detector lighting fixtures are exempt provided that there is no light trespass onto adjacent residential properties;
 10. Exposed string outdoor lighting is exempt provided that:
 - a. Lighting shall consist exclusively of white light with a clear bulb,
 - b. Installation of such lighting shall be limited to the lighting of living landscape features (shrubs and trees) in outside dining areas or within parking areas of a commercial center or plaza.
- J. Lighting Plans and Evidence of Lighting Compliance. The application for any required city approval involving residential and nonresidential nonexempt outdoor light fixtures shall include evidence that the proposed work will comply with this chapter. The submission shall contain the following:
1. The location of the site where the outdoor light fixtures will be installed;
 2. Plans showing the location and type of all fixtures, both existing and proposed, on the premises, including point by point photometric lighting levels;
 3. A description of the outdoor light fixtures including, but not limited to, manufacturer's catalog cuts, photometric reports with candela distribution, drawings, and shielding information;
 4. Submittal drawings shall be signed by a licensed professional engineer or by the licensed electrical contractor that is performing the work. This engineer or contractor shall be held responsible for the content and accuracy of the submittal design. Submittals must contain the name of the company that prepared the drawings and the name, title, and telephone number of the person that performed the design work;
 5. All plans resubmitted for approval shall include a written description of all changes and comments attached to the plan check comments.
- (Ord. 359, 1992; Ord. 698 § 3.1(d), 2005; Ord. 851 § 1.3, 2012)

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Jared Jerome, Senior Planner, Evan Willoughby, Associate Planner

Date: August 25, 2026

Meeting Date: September 8, 2026

Subject: Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Prior Review:

There has been no prior review of this item.

Discussion:

Town staff will provide the Planning Commission with an update on current private land development and capital projects and anticipated schedules.

Alternatives

None.

Fiscal Impact:

None.

Attachments

None