

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: FEBRUARY 11, 2020**

ITEM 1: Discussion and possible recommendation to the Board of Supervisors regarding a proposed amendment to County Code Chapter 19.50 Design Standards and Findings, by adding Section 19.50.060, “Outdoor Lighting Regulations.” The Code amendment would establish regulations for new outdoor lighting fixtures within the unincorporated County.

Applicant: County of Amador (Zoning Ordinance Amendment ZOA-19;9-1)

Supervisory Districts: All

Location: The ordinance would apply to all applicable portions of the unincorporated area of Amador County which utilize artificial lighting sources as described herein.

A. BACKGROUND: On March 23, 2018, the Board of Supervisors approved a Settlement Agreement to resolve litigation regarding the County’s 2016 adoption of the Amador County General Plan and certification of the General Plan Environmental Impact Report. The Agreement includes the requirement for the County to draft a Dark Skies Protection Ordinance and hold at least one public hearing to consider its adoption. The specific language from the Settlement Agreement is included in the staff report for reference.

After reviewing a variety of outdoor lighting policies and recommendations from the International Dark-Sky Association, staff prepared a draft ordinance and scheduled a hearing in October with the Planning Commission for initial review and public comment. Based on public input and Planning Commission direction during the Commission’s October, November, and December meetings, a final draft was forwarded to the Board of Supervisors for discussion and possible adoption.

However, the draft ordinance which was published for review prior to the Board’s hearing was not the most recent version. Due to the number of substantive changes and language adjustments made by the Planning Commission at the December meeting, staff requested that the matter be returned to the Commission to make sure that staff has included all of the changes to the final draft. Primary changes at the December meeting included:

- Changing “Dark Sky Ordinance” to “Outdoor Lighting Regulations”
- Clarifying that the exemption for State and Federal projects does not include County projects
- Moving “Public Gathering Lighting” to be included with Recreational Facilities
- Allowing an exemption for minor aesthetic/accent lighting
- Allowing an exemption for all airports (public and private) and FAA-required lighting
- Removing the exemption for parcels over 40 acres
- Removing prohibition of High Intensity Discharge (HID) lights
- Including the “A,” Agricultural and “AG,” Exclusive Agriculture districts under the residential lighting section
- Revising the exterior lighting upper limit for Color Correlative Temperature (CCT) and luminescence in residential zones (*but no determination was actually made*)
- Removing stringent restrictions of Street Parking and Security Lighting
- Clarifying regulations for historic structures/properties
- Clarifying language regarding new construction, and
- Requiring a lighting plan for commercial projects

B. PROPOSED PLANNING COMMISSION ACTION: The Planning Commission, after taking public comment on the proposed ordinance, may make any recommendations felt necessary regarding proposed Chapter 19.50.060, “Dark Sky Regulations.” Recommendations will be forwarded to the Board of Supervisors for their consideration at a future public hearing.

C. RECOMMENDED FINDING(S):

1. *The adoption of Chapter 19.50.060, “Dark Sky Regulations,” is Categorically Exempt from the California Environmental Quality Act according to Sections 15307 (Class 7) and 15308 (Class 8) of the State CEQA Guidelines.*
 - a. *Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.*
 - b. *Class 8 exemptions consist of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.*
2. *Following Board adoption of the proposed ordinance, a Notice of Exemption will filed with the County Recorder.*

Settlement Agreement Term D: Dark Skies Ordinance

“Recognizing that enjoyment of dark night skies is an integral part of Amador County’s rural quality of life and scenic beauty, the County shall draft a proposed Dark Skies Protection Ordinance and hold at least one public hearing to consider its adoption. As part of the process, the County shall review and consider the following minimum standards for inclusion in the draft:

1. Exterior lighting shall use the lowest possible wattage and energy-efficient luminaire for each application and minimize light use during non-active hours (11PM-dawn), except as needed for safety.
2. Exterior lighting shall illuminate only the area needed for safety.
3. Outdoor light fixtures for streets, commercial and residential buildings, pedestrian areas, and roadways shall be shielded, and/or directed down to preserve the night sky and away from residential areas to minimize light and glare effects on adjacent residences.
4. Exterior lighting fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane.
5. Timers or motion sensors shall be implemented on exterior lighting fixtures at night near buildings, where applicable, to avoid continual lighting of surfaces.
6. Yellow spectrum light sources, such as low-pressure sodium lamps and narrow-spectrum amber LEDs, shall be used for the majority of outdoor lighting. Other spectrum lighting may be used where necessary for a particular purpose, such as safety.
7. In commercial areas, special standards shall be established for illuminated signs and flashing or blinking lights.”

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Chapter 19.50.060
Outdoor Lighting Ordinance

Sections:

19.50.061 Title.
19.50.062 Applicability.
19.50.063 Purpose and intent.
19.50.064 Definitions.
19.50.065 Exemptions.
19.50.066 Prohibited.
19.50.067 Lighting Regulations.
19.50.068 Effective Date and Grandfathering of Nonconforming Luminaires.
19.50.069 New Construction.
19.50.070 Enforcement.

19.50.061 Title.

This chapter shall be referred to as the Outdoor Lighting Ordinance.

19.50.062 Applicability.

The provisions of this chapter apply only within the unincorporated area of Amador County. All requirements, regulations, and standards imposed by this section are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code.

19.50.063 Purpose and intent.

Efficient outdoor nighttime lighting provides numerous benefits including safety, night-time character, and security. Regulation of lighting may prevent or reduce problems related to excessive glare, light trespass, increased energy use, and light pollution. This lighting ordinance provides regulations for installation and establishes safety and installation guidelines for safe and responsible lighting.

19.50.064. Definitions: For the purpose of this ordinance, terms shall be defined as follows:

- A. **“Color Correlative Temperature, CCT.”** The color appearance of a light source in terms of warmth or coolness, measured in **Kelvins (K)**. Increased CCT is indicated by a shift from yellow (below 3000K) to blue-spectrum (above 4000K) light.
- B. **“Direct Light.”** Light emitted directly from a lamp or luminaire.
- C. **“Full Cutoff Light Fixtures.”** Light fixtures shielded or constructed so that no light rays are emitted above the horizontal plane and which limit glare in the region between 80 and 90 degrees from the horizontal plane. The term is often used interchangeably with **“Fully-shielded lights”** which may or may not limit glare in the region between 80 and 90 degrees from the horizontal plane.
- D. **“Glare.”** Light emitted from a luminaire that reduces a viewer’s ability to see, and in extreme cases causes momentary blindness.
- E. **“Opacity/Opaque.”** Lighting that is shielded by a non-transparent or translucent medium so as to limit, reduce, or redirect light output.
- F. **“Horizontal Plane.”** Surface parallel with the ground plane.
- G. **“Indirect light.”** Direct light that has been reflected or redirected off other surfaces.

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- H. **“Kelvin, K.”** Unit of measurement of temperature, used in lighting to indicate **Color Correlative Temperature (CCT)**, of a light bulb. Higher values indicate increased CCT. See **“Color Correlative Temperature, CCT.”**
- I. **“Light Bulb, Bulb, and Lamp.”** The component of a luminaire consisting of a single or collection of light-emitting technologies which are responsible for the emission of light. Applicable technologies include, but are not limited to the following:
1. **“High Intensity Discharge (HID) Lamp.”** A term for a lamp or light source characterized by an arc tube which encloses various gases and metal salts operating at relatively high pressures and temperatures. Common HID lamps are mercury vapor, metal halide, xenon, and high-pressure sodium;
 2. **“Incandescent, Light Bulb.”** A light source of electric light produced by incandescence and heating of a filament;
 3. **“Light Emitting Diode (LED).”** A light source where light is produced by passing an electric current through a two-lead semiconductor diode. LED’s also are characterized by smaller size, lower energy consumption, and longer life than their non LED counterparts;
- J. **“Light Pollution.”** Brightening of the night sky caused by street lights and other man-made sources, disrupting natural cycles and inhibiting observation of astronomical bodies.
- K. **“Light Trespass.”** Shining of light produced by a luminaire beyond property boundaries where it is located.
- L. **“Lumen.”** A unit of luminous flux, standard measure of luminescence (*i.e.*, lighting). For the purposes of the ordinance, the lumen-output values shall be the INITIAL lumen output ratings of the lamp or bulb.
- M. **“Luminaire.”** A complete lighting system, including a lamp or lamps and a fixture. Specific examples can include the following:
1. **“Flood or Spot Light.”** Any light fixture incorporating a reflector or refractor to concentrate and or direct light output in a particular direction;
 2. **“Hazard warning luminaire.”** A type of luminaire intended to indicate potential or existing hazards;
 3. **“Laser Projector.”** A type of luminaire which highly concentrated beams of light in various directions, often motorized; See “Temporary Outdoor Lighting;”
 4. **“Residential entrance light.”** An exterior lighting fixture mounted on a building required by the CA electrical code or CA building code to illuminate an outdoor entrance or exit with grade level access;
 5. **“Searchlight.”** A powerful outdoor electric luminaire with a concentrated beam directed in a specific direction, or motorized to change direction.
- N. **“Temporary outdoor lighting.”** Specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than sixty (60) consecutive days, with at least one-hundred and eighty (180) consecutive days passing before being used again.

19.50.065 Exemptions.

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- A. Government Facilities with outdoor lighting required by State or Federal law. A person seeking this exemption shall request it when submitting a development application. The applicant shall submit proof along with the application that demonstrates their entitlement to the exemption.
- B. Public and Private Airports and airport lighting systems including but not limited to runways, taxiways, obstruction lighting, lighted windsocks, approach and threshold light systems, termination lights, approach slope lights, runway end identification lights, rotating beacons, hangar ramp lights, road crossing warning lights, and any other airport associated lighting systems deemed necessary by the Federal Aviation Administration (FAA).
- C. Public Roadway Illumination luminaires may be installed at a maximum height of thirty (30) feet and positioned at that height up to the edge of any bordering property or as determined by the public agency responsible for their installation. No exemption shall apply to any roadway illumination within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.
- D. Official Traffic Control Devices or Fixtures installed, maintained, or regulated by any state, or federal agency.
- E. Temporary Emergency Lighting needed by emergency services of any type.
- F. Searchlights when utilized by government personnel for official purposes.
- G. Temporary Outdoor Lighting that complies with section 19.50.067(G) below. Temporary outdoor lighting installed for periods exceeding sixty (60) consecutive days may be approved under a staff-issued Use Permit subject to ten (10) day public notice to surrounding property owners.
- H. Minor, aesthetic accent lighting that does not illuminate beyond the accented object and does not exceed 2700K or 800 lumens. Examples include lighting for a tree, a statue, or address numbering.

19.50.066 Prohibited.

The following fixtures are prohibited unless otherwise addressed in this code or permitted under an approved Use Permit.

- A. Any new installation of illumination directed above the horizontal plane;
- B. Bottom-mounted outdoor advertising-sign lighting fixtures;
- C. Non-temporary lights that blink, flash, rotate, move, or change in intensity or color.
- D. Spotlights or high intensity focused luminaires without a staff-issued Use Permit specifying range, direction, and intensity of said spotlight.

19.50.067 Lighting Regulations.

- A. Exterior Lighting-- Generally. All exterior lighting, including motion-sensitive or timed lighting, shall be provided by fully shielded, full cutoff fixtures installed per the manufacturer's specifications in order to limit glare and light trespass. All luminaires must have a CCT less than or equal to 3000K and the maximum height of any luminaire may not exceed the maximum building height as specified by the property's zoning district, unless otherwise allowed with a Use Permit.
- B. Residential Lighting. The following residential lighting regulations apply to all residential uses within the R1, R2, R3, R1A, R2A, RE, A, AG, T1, and T2 zones or any luminaires utilized for residential purposes.

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1. Exterior lighting fixtures shall be mounted no higher than 30 feet above the flooring, deck, walkway, driveway or other occupied area, or at the highest grade point of the ground surface immediately adjacent to the lighting fixture.
 2. All exterior lighting must have an initial lumen output less than or equal to lumens.
 3. Underwater lighting in swimming pools or other water features shall not emit perceivable illumination visible at the property boundaries, and shall be positioned to minimize illumination above the horizontal plane as measured at the water's surface.
- C. Commercial Lighting Regulations. The following commercial lighting regulations apply to commercial uses within the C1, C2, LM, MM, M, MRZ, A, AG, or H zones or any luminaires utilized for commercial purposes.
1. The illumination of signs shall comply with County Code Section 19.32. Any inconsistencies between this section and County Code Section 19.32 shall be limited by the more restrictive provision.
 2. All allowed lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure and be full cutoff, fully shielded, fixtures.
 3. Outdoor identification or advertising signs constructed of translucent materials and wholly illuminated from within do not require additional shielding.
- D. Historic Luminaires as a part of a state, federal, or local historical landmark and which add to the historic character of the property shall be allowed in any zoning district. Historic luminaires must have a CCT of no more than 2200 K if not fully shielded, full-cutoff fixtures.
- E. Illumination of the United States Flag is subject to the regulations set forth in this section, which apply to all zoning districts within the County.
1. Flagpoles illuminated from below shall have a maximum output of 1,300 lumens and 3,000K CCT. The fixture shall be mounted perpendicular to the flagpole, and the light outputs shall point straight up at the flag;
 2. Flagpoles illuminated from above shall utilize a single light fixture, not to exceed 800 initial lamp lumens and 3,000K, attached to the top of the flagpole;
 3. If the flag of the United State of America is displayed during the hours of darkness it should be illuminated as recommended in the United States Flag Code (36 U.S.C. Paragraphs 173, 174).
- F. Recreational Facilities and Public Gatherings. Lighting for outdoor recreational fields and for public gatherings shall comply with the regulations of this chapter. No illumination for these uses is permitted after 11:00 p.m. except to conclude an event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.
- G. Temporary Outdoor Lighting. Temporary outdoor lighting is allowed in all zoning districts so long as it satisfies all the following requirements and is not deemed a nuisance or safety hazard:
1. It is temporary in nature and removed within sixty (60) days, with 180 or more consecutive days passing before reinstallation;
 2. It is installed per manufacturer specifications and California Building Code;
 3. It is kept clear of all flammable materials, vegetative or otherwise;

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4. It is operated in the presence of a responsible party who has the capability and authority necessary to disconnect the lights if deemed necessary by the County or other state or local authority for the preservation of public or individual safety;
 5. Any light projectors (patterns, lasers, etc.) are directed only at solid surfaces and do not shine across property lines or into abutting properties.
 6. String lights' individual lamps have an initial lumen output less than or equal to 70 lumens.
- H. Hazard Warning Luminaires and Temporary Construction Lighting. Any hazard warning luminaires and temporary construction lighting required as part of an approved project must consist of red construction lighting and, to the greatest extent feasible, meet and not exceed the federally required minimum lumen output requirement for the specific project.

Hazard warning luminaires must be installed on or within five (5) days of preparation of the project site and be removed within five (5) days upon completion of the project. All hazard warning luminaires shall be placed so as to minimize or eliminate glare to any operators of motor vehicles within sightlines of the project site.

19.50.068 Effective Date and Grandfathering of Nonconforming Luminaires:

- A. This ordinance shall take effect immediately upon approval by the Board of Supervisors. Luminaires not conforming to this code that were lawfully in place before this code became effective on **[INSERT DATE HERE]** shall be considered a "grandfathered," legally nonconforming use.
- B. Maintenance and repair of legally nonconforming fixtures shall not affect their status as legally nonconforming. However, any structural change in the fixture shall subject the fixture to the requirements of this chapter. Legally nonconforming fixtures destroyed or damaged to an extent in excess of 50% of replacement value shall be replaced or repaired by conforming fixtures.

19.50.069 New Construction

Unless the Building or Planning Department deems it unnecessary, any new commercial projects submitted for review to the Building or Planning Department of Amador County shall be required to submit plans indicating the outdoor lighting fixture location and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. For each fixture, the plans shall indicate the lumens, area of effect, and direction of emission.

19.50.070 Enforcement.

Enforcement of the provisions of this chapter shall follow the procedures of County Code Section 2.06. Nothing in this ordinance restricts the right of the County to abate a public nuisance.

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Chapter 19.50.060

[Dark Sky Outdoor Lighting](#) Ordinance

Sections:

19.50.061 Title.

19.50.062 Applicability.

19.50.063 Purpose and intent.

19.50.064 Definitions.

19.50.065 Exemptions.

19.50.066 ~~Exceptions~~ Prohibited.

19.50.067 ~~Prohibited.~~

~~19.50.068~~ Lighting Regulations.

19.50.~~069~~068 Effective Date and Grandfathering of Nonconforming Luminaires.

19.50.~~070~~069 New Construction.

19.50.~~071~~070 Enforcement.

19.50.061 Title.

This chapter shall be referred to as the [Dark Sky Outdoor Lighting](#) Ordinance.

19.50.062 Applicability.

The provisions of this chapter apply only within the unincorporated area of Amador County. All requirements, regulations, and standards imposed by this section are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code.

19.50.063 Purpose and intent.

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- B. **“Direct Light.”** Light emitted directly from a lamp or luminaire.
- C. **“Full Cutoff Light Fixtures.”** Light fixtures shielded or constructed so that no light rays are emitted above the horizontal plane and which limit glare in the region between 80 and 90 degrees from the horizontal plane. The term is often used interchangeably with **“Fully-shielded lights”** which may or may not limit glare in the region between 80 and 90 degrees from the horizontal plane.
- D. **“Glare.”** Light emitted from a luminaire that reduces a viewer’s ability to see, and in extreme cases causes momentary blindness.
- E. **“Opacity/Opaque.”** Lighting that is shielded by a non-transparent or translucent medium so as to limit, reduce, or redirect light output.

~~A.F.~~ **“Horizontal Plane.”** Surface parallel with the ground plane.

~~F.G.~~ **“Indirect light.”** Direct light that has been reflected or redirected off other surfaces.

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G.H. “Kelvin, K.” Unit of measurement of temperature, used in lighting to indicate **Color Correlative Temperature (CCT)**, of a light bulb. Higher values indicate increased CCT. See “**Color Correlative Temperature, CCT.**”

H.I. “Light Bulb, Bulb, and Lamp.” The component of a luminaire consisting of a single or collection of light-emitting technologies which are responsible for the emission of light. Applicable technologies include, but are not limited to the following:

1. **“High Intensity Discharge (HID) Lamp.”** A term for a lamp or light source characterized by an arc tube which encloses various gases and metal salts operating at relatively high pressures and temperatures. Common HID lamps are mercury vapor, metal halide, xenon, and high-pressure sodium;
2. **“Incandescent, Light Bulb.”** A light source of electric light produced by incandescence and heating of a filament;
3. **“Light Emitting Diode (LED).”** A light source where light is produced by passing an electric current through a two-lead semiconductor diode. LED’s also are characterized by smaller size, lower energy consumption, and longer life than their non LED counterparts;

I.J. “Light Pollution.” Brightening of the night sky caused by street lights and other man-made sources, disrupting natural cycles and inhibiting observation of astronomical bodies.

J.K. “Light Trespass.” Shining of light produced by a luminaire beyond property boundaries where it is located.

K.L. “Lumen.” A unit of luminous flux, standard measure of luminescence (*i.e.*, lighting). For the purposes of the ordinance, the lumen-output values shall be the INITIAL lumen output ratings of the lamp or bulb.

L.M. “Luminaire.” A complete lighting system, including a lamp or lamps and a fixture. Specific examples can include the following:

1. **“Flood or Spot Light.”** Any light fixture incorporating a reflector or refractor to concentrate and or direct light output in a particular direction;
2. **“Hazard warning luminaire.”** A type of luminaire intended to indicate potential or existing hazards;
3. **“Laser Projector.”** A type of luminaire which highly concentrated beams of light in various directions, often motorized; See “Temporary Outdoor Lighting;”
4. **“Residential entrance light.”** An exterior lighting fixture mounted on a building required by the CA electrical code or CA building code to illuminate an outdoor entrance or exit with grade level access;
5. **“Searchlight.”** A powerful outdoor electric luminaire with a concentrated beam directed in a specific direction, or motorized to change direction.

M.N. “Temporary outdoor lighting.” Specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than sixty (60) consecutive days, with at least one-hundred and eighty (180) consecutive days passing before being used again.

19.50.065 Exemptions.

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A. ~~State and Government Facilities~~ with outdoor lighting required by State or Federal law ~~are exempt from the contents of this chapter.~~ A person seeking ~~an~~this exemption ~~under this subsection~~ shall request ~~an exemption at that time the person submits their~~ when submitting a development application for the permit required by County code. The applicant shall submit proof along with the application ~~for the permit~~ that demonstrates ~~that the applicant is entitled~~their entitlement to ~~an~~the exemption ~~under this section.~~

~~This exemption applies to airports and other necessary~~

B. Public and Private Airports and airport lighting systems including but not limited to runways, taxiways, obstruction lighting, lighted windsocks, approach and threshold light systems, termination lights, approach slope lights, runway end identification lights, rotating beacons, hangar ramp lights, road crossing warning lights, and any other airport associated lighting systems deemed necessary by the Federal Aviation Administration (FAA).

~~B.C.~~ Public Roadway Illumination luminaires may be installed at a maximum height of thirty (30) feet and positioned at that height up to the edge of any bordering property or as determined by the public agency responsible for their installation. No exemption shall apply to any roadway illumination within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

~~C.D.~~ Official Traffic Control Devices or Fixtures installed, maintained, or regulated by any state, or federal agency.

~~D.E.~~ Temporary Emergency Lighting needed by emergency services of any type.

~~E.F.~~ Searchlights when utilized by government personnel for official purposes.

~~F.~~ Public Gathering Lighting Fixtures for public events or gatherings, temporary in nature and licensed or permitted under other provisions of the municipal or county code, or Use Permit.

~~G.~~ Land Parcels Averaging 40 Acres or greater are exempt from Section 19.50.068(2) if such lighting does not introduce light pollution, light trespass, or glare that negatively affects the public or nearby property owners.

~~H.~~ Nonconforming Outdoor Lighting that is "grandfathered" as described below in section 19.50.069.

~~I.G.~~ Temporary Outdoor Lighting that complies with section 19.50.068(~~H~~067~~(G)~~) below. Temporary outdoor lighting installed for periods exceeding sixty (60) consecutive days may be approved under a staff-issued Use Permit subject to ten (10) day public notice to surrounding property owners, ~~if the applicant submits a detailed description of the proposed nonconforming lighting with any applicable plans or materials as specified in Chapter 19.50.070 New Construction, to the Planning Department along with a Use Permit Application, and the applicant obtains all other applicable permits.~~

~~19.50.066 Exceptions.~~

~~Any fixtures which, by their nature, use, or design, present a compelling argument for the promotion of public health, safety, and welfare as determined by the Planning Commission or Board of Supervisors.~~

~~19.50.067H. Minor, aesthetic accent lighting that does not illuminate beyond the accented object and does not exceed 2700K or 800 lumens. Examples include lighting for a tree, a statue, or address numbering.~~

~~19.50.066 Prohibited.~~

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The following fixtures are prohibited unless otherwise addressed in this code or permitted under an approved Use Permit.

- A. Any new installation of illumination directed above the horizontal plane;
- B. Bottom-mounted outdoor advertising-sign lighting fixtures;
- C. Non-temporary lights that blink, flash, rotate, move, or change in intensity or color.
- D. Spotlights or high intensity focused luminaires without a staff-issued Use Permit specifying range, direction, and intensity of said spotlight.

~~E. High Intensity Discharge (HID) lights or lamps for any outdoor use exceeding 1200 lumens or with a CCT above 2700 K.~~

19.50.068067 Lighting Regulations.

~~All new public and private outdoor lighting installed in the unincorporated County shall be in conformance with the requirements established by this Ordinance. All previous language in Amador County bylaws and ordinances regarding outdoor lighting will be subordinate to this ordinance for all new public and private outdoor lighting unless otherwise specified by the Planning Commission and the Board of Supervisors.~~

~~A. Exterior Lighting-- Generally. All exterior lighting, including motion-sensitive or timed lighting, shall be provided by fully shielded, full cutoff fixtures installed per the manufacturer's specifications in order to limit glare and light trespass. Fixtures that are shielded by a structural element so as to meet the intent of a full cutoff fixture and which are otherwise compliant with the terms of this ordinance, shall be considered in compliance.~~

~~1. All outdoor lighting shall comply with California State Building Requirements and County Code.~~

~~2. All luminaires and lamps shall be installed per manufacturer's specifications to be considered compliant.~~

~~3. All new lighting fixtures, including LED retrofits, shall be full cutoff fixtures unless otherwise addressed by this ordinance or permitted under an approved Use Permit.~~

~~4. On-site and Off-site lighting shall be designed, controlled, and maintained to minimize light trespass, and so all lighting does not unreasonably disturb occupants of adjacent properties or interfere with traffic on any public road or right-of-way.~~

~~5. Lighting fixtures installed to provide for pedestrian safety, shall be adequately spaced and scaled without interference from landscaping, and shall be directed away from adjacent areas to minimize light pollution, light trespass, and glare. Pathway lighting including permanent string lights, paving lights, walkway lights, step lights, etc. must be full cutoff fixtures.~~

~~6. Any full cutoff luminaire, including flood or spot luminaires, with a lamp or lamps rated at a total of 800 lumens or less and with have a CCT less than or equal to 2700 K may be used to a light distributing or mounting height under 30 ft. in any zoning district.~~

~~A. 7. The 3000K and the maximum height of any luminaire may not exceed the maximum building height as specified by the property's zoning district, unless otherwise allowed with a Use Permit.~~

B. Residential Lighting. The following residential lighting regulations apply to all property residential uses within the R1, R2, R3, R1A, R2A, RE, A, AG, T1, and T2 zones or any luminaires utilized for residential purposes.

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1. Exterior lighting fixtures shall be mounted no higher than 30 feet above the flooring, deck, walkway, driveway or other occupied area, or at the highest grade point of the ground surface immediately adjacent to the lighting fixture.
 2. All exterior lighting must have ~~a CCT less than or equal to 3000K and have~~ an initial lumen output less than or equal to 800 lumens.
 - ~~3. Pathway lighting including permanent string lights, paving lights, walkway lights, etc. must be full cutoff or shielded fixtures or else not emit perceivable illumination visible at the property boundaries.~~
 43. Underwater lighting in swimming pools or other water features shall not emit perceivable illumination visible at the property boundaries, and shall be positioned to minimize illumination above the horizontal plane as measured at the water's surface.
- C. Commercial Lighting Regulations. The following commercial lighting regulations apply to ~~all property commercial uses~~ within the C1, C2, LM, MM, M, MRZ, A, AG, or H zones or any luminaires utilized for commercial purposes.
- ~~1. All commercial lighting must have a CCT less than or equal to 3000K.~~
 - ~~21.~~ The illumination of signs shall comply with County Code Section 19.32.- Any inconsistencies between this section and County Code Section 19.32 shall be limited by the more restrictive provision.
 - ~~32.~~ All allowed lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure and be full cutoff, fully shielded, fixtures.
 - ~~43.~~ Outdoor identification or advertising signs constructed of translucent materials and wholly illuminated from within do not require additional shielding.
- D. Historic Light Fixtures which are Luminaires as a part of a ~~historic property state, federal, or part of a public monument and statuary~~ local historical landmark and which add to the historic character of the property shall be allowed in any ~~applicable~~ zoning district. Historic light fixtures luminaires must have a CCT of no more than 2200 K- ~~if not fully shielded, full-cutoff fixtures.~~
- E. Illumination of the United States Flag is subject to the regulations set forth in this section, which apply to all zoning districts within the County.
1. Flagpoles illuminated from below shall have a maximum output of 1,300 lumens and 3,000K CCT. The fixture shall be mounted perpendicular to the flagpole, and the light outputs shall point straight up at the flag;
 2. Flagpoles illuminated from above shall utilize a single light fixture, not to exceed 800 initial lamp lumens and 3,000K, attached to the top of the flagpole;
 3. If the flag of the United State of America is displayed during the hours of darkness it should be illuminated as recommended in the United States Flag Code (36 U.S.C. Paragraphs 173, 174).
- F. Recreational Facilities- and Public Gatherings. Lighting for outdoor recreational ~~facilities (fields and for public or private) including, but not limited to: football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas,~~ gatherings shall comply with the following:
- ~~1. All fixtures used for event lighting shall be designed with full cutoff capability, so as to minimize light pollution, trespass, and glare.~~

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~~2.—regulations of this chapter. No illumination of the playing field, court, or track shall before these uses is permitted after 11:00 p.m. except to conclude a scheduled an event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.~~

~~G.—Street Parking and Security Lighting. Except where specifically exempted, the following street, parking, and security lighting regulations apply to all zoning districts within the County:~~

~~1.—All street, parking, and security lighting shall utilize full cutoff fixtures that by design have a cutoff angle of no more than 90 degrees, and shall be properly installed so as to maintain the full cutoff angle of 90 degrees. Fixtures that are shielded by a structural element so as to meet the intent of a full cutoff fixture shall be considered to be in compliance;~~

~~2.—Lighting fixtures shall be mounted no higher than 30 feet above a parking or street surface unless otherwise permitted by a Use Permit or government agency.~~

HG. Temporary Outdoor Lighting. Temporary outdoor lighting is allowed in all zoning districts so long as it satisfies all of the following requirements and is not deemed a nuisance or safety hazard:

1. It is temporary in nature and removed within sixty (60) days, with 180 or more consecutive days passing before reinstallation;
2. It is installed per manufacturer specifications and California Building Code;
3. It is kept clear of all flammable materials, vegetative or otherwise;
4. It is operated in the presence of a responsible party who has the capability and authority necessary to disconnect the lights if deemed necessary by the County or other state or local authority for the preservation of public or individual safety;
5. Any light projectors (patterns, lasers, etc.) are directed only at solid surfaces and do not shine across property lines or into abutting properties.
6. String lights' individual lamps have an initial lumen output less than or equal to 70 lumens.

H. Hazard Warning Luminaires and Temporary Construction Lighting. Any hazard warning luminaires and temporary construction lighting required as part of an approved project must consist of red construction lighting and, to the greatest extent feasible, meet and not exceed the federally required minimum lumen output requirement for the specific project.

Hazard warning luminaires must be installed on or within five (5) days of preparation of the project site and be removed within five (5) days upon completion of the project. All hazard warning luminaires shall be placed so as to minimize or eliminate glare to any operators of motor vehicles within sightlines of the project site.

19.50.069068 Effective Date and Grandfathering of Nonconforming Luminaires:

- A. This ordinance shall take effect immediately upon approval by the Board of Supervisors. Luminaires not conforming to this code that were lawfully in place before this code became effective on **[INSERT DATE HERE]** shall be considered a "grandfathered," legally nonconforming use.
- B. Maintenance and repair of legally nonconforming fixtures shall not affect their status as legally nonconforming. However, any structural change in the fixture shall subject the fixture to the requirements of this chapter ~~or with the terms specified in any applicable Use Permit.~~ Legally nonconforming fixtures destroyed or damaged to an extent in excess of 50% of replacement value shall be replaced or repaired by conforming fixtures.

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19.50.070069 New Construction

~~Submission Contents. Any new~~Unless the Building or Planning Department deems it unnecessary, any new commercial projects submitted for review to the Building or Planning Department of Amador County may, in the Planning Department's discretion, be subject to the following Design Guidelines at the time of submission.

A. ~~Lighting Plan. Applicant may be~~shall be required to submit plans indicating the outdoor lighting fixture location ~~on~~and the premises, and type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. ~~The Planning Department may also require information regarding lumens radiating from~~For each fixture, the plans shall indicate the lumens, area of effect, and direction of emission.

B. ~~Device Specifications. Applicant may be required to submit photometric data and manufacturer specifications as deemed necessary by the Planning Department. When applicable, the applicant shall be encouraged to utilize lighting on timers or motion sensors, as feasible. Applicant may also be required to describe any relevant materials which shall to any effect, change intensity, color (wavelength), or redirect illumination of any kind over the course of the project.~~

C. ~~Lamp or Fixture Substitution. Should any outdoor light fixture, or the type of light source therein, be changed after the permit has been issued, the new luminaire and fixture must comply with the provisions of this code or an equivalent fixture to that which was described as part of the permit.~~

19.50.071070 Enforcement.

Enforcement of the provisions of this chapter shall follow the procedures of County Code Section 2.06. Nothing in this ordinance restricts the right of the County to abate a public nuisance.