

[Print](#)

## San Diego County Code of Regulatory Ordinances

**CHAPTER 2. LIGHT POLLUTION**

---

**SEC. 51.201. PURPOSE.**

The purpose of this chapter is to minimize light pollution to allow citizens of the County to view and enjoy the night environment and to protect the Palomar and Mount Laguna observatories from the detrimental effect that light pollution has on astronomical research.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

**SEC. 51.202. GENERAL REQUIREMENTS FOR OUTDOOR LIGHTING FIXTURES.**

- (a) All artificial outdoor luminaires installed or reinstalled after January 1, 1985 shall comply with this chapter.
- (b) All artificial outdoor luminaires shall comply with the County Building and Electrical Codes and the Zoning Ordinance.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

**SEC. 51.203. DEFINITIONS.**

The following definitions shall apply to this chapter:

- (a) "Outdoor luminaire" means an outdoor illuminating device, outdoor fixture, lamp and other similar device, whether permanently installed or portable, that produces artificial light.
- (b) "Class I lighting" means outdoor lighting for an outdoor sales or eating area, vehicle fueling area, assembly or repair area, billboard or other sign, recreational facility or other similar application, where color rendition is important for commercial or safety purposes.
- (c) "Class II lighting" means outdoor lighting for commercial, industrial and residential walkways, roadways and parking lots, equipment yards, outdoor security and residential entrance lighting.
- (d) "Class III lighting" means outdoor lighting used for decorative effects such as architectural illumination, flag and monument lighting and landscape lighting.
- (e) "Building official" means the Director of Planning and Development Services and any person appointed or hired by the Director to administer and enforce this chapter.
- (f) "Residential entrance light" means an exterior lighting fixture mounted on a building required by the California Electrical Code or California Building Code to illuminate an outdoor entrance or exit with grade level access.
- (g) "Zone A" means the area within a 15 mile radius of the center of the Palomar Observatory and the area within a 15 mile radius of the center of Mount Laguna Observatory.
- (h) "Zone B" means all areas within the unincorporated area of the County not included in Zone A.
- (i) "Luminaire" means a complete lighting unit, including the lamp, the fixture and other parts.
- (j) "Holiday decoration" means an outdoor luminaire that is used only for temporary decorative purposes, to celebrate a specific holiday.
- (k) "Fully shielded" means a luminaire constructed in a manner that all light emitted by the fixture, either directly from the lamp or a defusing element, or indirectly by reflection or refraction from any part of the luminaire is projected below the horizontal plane, as determined by photometric test or certified by the manufacturer. Any structural part of the luminaire providing this shielding shall be permanently affixed so that no light is able to be emitted above the horizontal plane.
- (l) "Luminous tube lighting" means gas-filled glass tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
- (m) "On premises advertising sign" means a sign located on the premises of a facility that is open to the public, that advertises the name of the facility, the product or service the facility offers, the facility's hours of operation or some other fact related to the facility.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09; amended by Ord. No. 10224 (N.S.), effective 10-25-12)

**SEC. 51.204. REQUIREMENTS FOR LAMP SOURCE AND SHIELDING.**

The requirements for lamp source and shielding of light emissions for outdoor luminaires shall be as provided in the following table:

LAMP TYPE AND SHIELDING REQUIREMENTS PER FIXTURE

CLASS I-COLOR RENDITION IMPORTANT

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Fully Shielded
Others 4050 Lumens & Below	Fully Shielded <sup>1</sup>	Fully Shielded <sup>1</sup>

CLASS II-PARKING LOTS, SECURITY, ETC.

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Prohibited, except fully shielded HPS is allowed for private roadways
Others 4050 Lumens & Below	(a) Fully Shielded Fixture with motion sensor, or (b) Unshielded Luminaire, 2000 lumens maximum with motion sensor or (c) Residential Entrance Light, 2000 lumens maximum	(a) Fully Shielded Fixture, or (b) Unshielded Luminaire, 2000 lumens maximum with motion sensor or (c) Residential Entrance Light, 2000 lumens maximum

CLASS III-DECORATIVE

LAMP TYPE	ZONE A (15 Mi.)	ZONE B
Low Pressure Sodium	Fully Shielded	Fully Shielded
Others above 4050 Lumens	Prohibited	Prohibited
Others 4050 Lumens & Below	Prohibited	Prohibited except if less than 2000 lumens per fixture
Luminous Tube	Prohibited	Fully Shielded

<sup>1</sup> Lighting for On-Premises Advertising Displays, as defined under Section 5490 of the Business and Professions Code, shall be shielded where feasible and focused to minimize spill light into the night sky or adjacent properties.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

**SEC. 51.205. SUBMISSION OF PLANS AND EVIDENCE OF COMPLIANCE.**

(a) An applicant for any permit required by the County for work involving an outdoor luminaire, unless the work is exempt as provided in this chapter, shall submit evidence with the permit application that the proposed work will comply with this chapter. The submission shall contain the following:

- (1) A map or other drawing showing the location of the property where any outdoor luminaire will be installed.
- (2) Plans indicating the location on the property where each type of outdoor luminaire will be installed, indicating the type of fixture.
- (3) The specifications for each outdoor luminaire to be installed including but not limited to manufacturer's catalog cuts, photometric study and drawings.

(b) In order to be considered complete, the plans and descriptions shall enable the plans examiner to readily determine whether the work will comply with the requirements of this chapter. If the plans examiner cannot determine from the applicant's submission whether the proposed work complies with this chapter, the examiner may reject the application or allow the applicant to submit additional information.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

**SEC. 51.206. HOURS OF OPERATION.**

(a) All Class I lighting shall be off between 11:00 p.m. and sunrise, except as follows:

- (1) An "on premises" advertising sign may be illuminated while a facility is open to the public.
- (2) A billboard may remain lighted until midnight.
- (3) Outdoor illumination of a sales area, commercial area, assembly area, repair area or industrial area is allowed when the area is in use and the use is not prohibited by any permit issued by the County or by any law or regulation.
- (4) Lighting at an outdoor recreational facility may remain on to allow an organized recreational event in progress to be completed, provided the event and the facility are not violating the terms of any permit issued by the County or any law or regulation.
- (5) The lighting is exempt from this section as provided in section 51.207 or a temporary exemption has been granted under section 51.209.

(b) Operation of a searchlight for advertising purposes is prohibited between 11:00 p.m. and sunrise.

(c) Class III lighting shall be off between 11:00 p.m. and sunrise.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

**SEC. 51.207. EXEMPTIONS.**

An outdoor luminaire in any of the following categories is exempt from the requirements of this chapter, except the requirements in section 51.202(b):

(a) The outdoor luminaire was legally installed prior to January 18, 1985 except that:

- (1) When an existing luminaire becomes inoperable any replacement of the luminaire shall comply with this chapter.
- (2) The exemption shall no longer apply when the property undergoes a change in use.

(b) An outdoor luminaire producing light directly by the combustion of a fossil fuel such as a kerosene lantern or gas lamp.

(c) An outdoor luminaire on, in or in connection with any facility or property owned or operated by the government of the United States of America or the State of California.

(d) A luminaire used for a holiday decoration, provided it is used for no more than 60 days in a 12 month period and is off between the hours of 11:00 p.m. and sunrise.

(e) Lighting that illuminates a United States or California Flag and the flagpole to which the flag is affixed. A luminaire or combination of luminaires with an output of more than 4050 lumens per flag, however, shall

be fully shielded.

(f) Outdoor lighting for a facility required by State or federal law to have outdoor lighting that does not comply with this chapter. A person seeking an exemption under this subsection shall request an exemption at that time the person submits the application for the permit required by the County Electrical Code. The applicant shall submit proof along with the application for the permit that demonstrates the applicant is entitled to an exemption under this subsection.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

#### **SEC. 51.208. SPECIAL REQUIREMENTS.**

County airports and County correctional institutions located in the unincorporated area of the County shall be subject to the following special requirements:

- (a) Outdoor lighting at a County airport in an area not regulated by State or federal law, such as a parking lot or outside building, shall be low-pressure sodium.
- (b) Outdoor lighting at a County correctional institution in an area not regulated by State or federal law, such as a parking lot, shall be fully shielded.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)

#### **SEC. 51.209. TEMPORARY EXEMPTIONS.**

(a) A person may submit a written request to the building department for a temporary exemption from the requirements of this chapter. The request shall be submitted on a form provided by the building official. The fee for the temporary exemption shall be as provided in section 362.1 of the County Administrative Code.

(b) A temporary exemption under this section shall only be granted if the applicant is able to establish that: (1) an exemption is necessary during a community event or some other event that benefits the public and the public benefit outweighs any harm that might result to the public or any private person or (2) the exemption is necessary due to an emergency that is behind the control of the applicant and that no other reasonable alternative exists. No temporary exemption shall be granted when the outdoor lighting for which a temporary exemption is requested has been installed in violation of this chapter.

(c) The building official shall have ten days from the date the applicant submits a complete request for a temporary exemption to approve or disapprove the request. The building official shall notify the applicant of the decision in writing.

(d) The temporary exemption shall be valid for no more than 30 consecutive days from the date the County approves the request. Upon request from the applicant, the County, upon receipt of evidence that a condition justifying continuing the exemption exists, may extend the exemption for up to an additional 30 consecutive days. The request for renewal shall be processed in the same manner as an original request. No exemption for an outdoor luminaire shall be granted for more than 60 days during any 12 month period.

(e) If the building official denies the request for a temporary exemption the applicant may request that the chief of the Building Division review the denial. The applicant shall submit the request for review in writing within 15 days from the date of the denial. The fee for the review shall be the same as fee for the request for a temporary exemption. The decision by the chief of the Building Division shall be final.

(Added by Ord. No. 9974 (N.S.), effective 4-3-09)