

### BACKGROUND

Ordinance No. 91-46 (Oceanside City Code Chapter 39) was adopted in October 1991 to address concerns about light pollution affecting the Palomar Observatory. In general, the ordinance addresses the type, intensity, and manner of installation of outdoor lighting.

Low pressure sodium lighting is the preferred light source because its properties have the least negative impact on the observatory. Exceptions are granted for situations which are not compatible with the use of low pressure sodium lighting. Lamp types are classified as:

- Class I - Color Rendition Important
- Class II - Parking Lots, Roadways, Security
- Class III - Decorative

Class I lighting is defined as: *Outdoor lighting where color rendition is important including, but not limited to, outdoor sales or eating areas, equipment assembly or repair areas, billboards and other signs, recreational facilities and other similar applications.*

Class II lighting is defined as: *Outdoor lighting not within Class I or III including, but not limited to, illumination for walkways, private roadways and streets, equipment yards, parking lots, and outdoor security.*

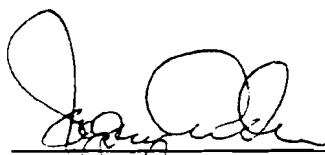
Class III lighting is defined as: *Outdoor lighting used for decorative purposes including, but not limited to, building façade lighting and landscape lighting.*

Based on the experience of the more than seven years since the ordinance has been in effect, there is an apparent conflict between the inclusion of parking lot and security lighting in the Class II category, as opposed to Class I *Color Rendition Important*. By definition, color rendition is important in areas where lighting contributes to public safety. Low pressure sodium lighting does not allow accurate identification of colors. Public safety issues include: accurate identification of suspects in crimes, accurate identification of vehicles used in crimes, the ability to observe skin tone (i.e., lips turning blue) by emergency medical personnel, etc. Low pressure sodium lighting is not compatible with these needs.

### POLICY

It is the policy of the City of Oceanside to allow the use of Class I outdoor lighting for parking lots and other locations where security and public safety are of concern. Justification for use of Class I lighting in locations which are specifically listed under the Class II or Class III definitions will be established by completion and approval of a questionnaire provided during building plan check. Approval of Class I lighting for parking lots, walkways, security, etc. requires compliance with all other aspects of the Light Pollution Ordinance.

APPROVED:

  
GREGORY ANDERSON, BUILDING DIRECTOR

  
MICHAEL BLESSING, PLANNING DIRECTOR

**Sec. 39.1. Intent.**

The intent of this chapter is to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observation and research.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.2. Conformance with applicable costs.**

All outdoor light fixtures shall be installed in conformance with the provisions of this chapter and all other applicable laws enacted or incorporated by the City of Oceanside.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.3. Approved materials and methods of installation.**

This chapter is not intended to prevent the use of any design, material or method of installation not specifically forbidden, provided any such alternative has been approved. The building director may approve any such proposed alternative if it:

- (1) Provides at least approximate equivalence to the applicable requirement of this chapter; and
- (2) Is otherwise satisfactory and complies with the intent of this chapter.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.4. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) *Outdoor light fixtures* means outdoor artificial illuminating devices, lamps and other similar devices, permanently installed or portable, used for flood lighting. Such devices shall include, search, spot, and flood lights for:

- (1) Buildings and structures;
- (2) Recreational facilities;
- (3) Parking lots;
- (4) Landscape lighting;

- (5) Billboards and other signs;
- (6) Street lighting on private streets;
- (7) Walkway lighting;
- (8) Security lighting;
- (9) Outdoor assembly or repair areas.

(b) *Class I lighting* means all outdoor lighting where color rendition is important including, but not limited to, outdoor sales or eating areas, equipment assembly or repair areas, billboards and other signs, recreational facilities and other similar applications.

(c) *Class II lighting* means all outdoor lighting not within Classes I or III including, but not limited to, illumination for walkways, private roadways and streets, equipment yards, parking lots and outdoor security.

(d) *Class III lighting* means all outdoor lighting used for decorative purposes including, but not limited to, building facade lighting and landscape lighting.

(e) *Building director* means the director of the building department of the City of Oceanside or his or her designated representative(s).

(f) *Individual* means any private individual, tenant, lessee, owner or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.

(g) *Installed* means any installation of outdoor light fixtures after the effective date of this chapter.

(h) *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 the light is emitted.

(i) *Partially shielded* means outdoor light fixtures shielded or constructed so that ninety (90) percent of the light rays emitted are projected below the horizontal plane passing through the lowest point on the fixture from which the light is emitted.

(j) *Luminaire* means a complete lighting unit consisting of a lamp or lamps together with the

parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.5. General requirements.**

(a) Low pressure sodium lamps are the preferred illuminating source.

(b) All nonexempt outdoor light fixtures shall be shielded as required in section 39.6.

(c) All nonexempt outdoor light fixtures shall be shielded to the provision of section 39.8 regarding the hours of operation.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.6. Requirement for lamp source and shielding.**

(a) The requirements for lamp source and shielding of light emissions for outdoor light fixtures shall be:

**Lamp Type and Shielding Requirements  
(per fixture)**

*Class I - Color Rendition Important*

<i>Lamp Type</i>	<i>Requirement</i>
Low pressure sodium	Permitted
Other lights above 4050 lumens	Permitted
Other lights 4050 lumens or less	Permitted

*Class II - Parking Lots, Roadways, Security*

Low pressure sodium	Permitted
Other lights above 4050 lumens	Prohibited
Other lights 4050 lumens or less	Permitted

*Class III - Decorative*

Low pressure sodium	Permitted
Other lights above 4050 lumens	Prohibited
Other lights 4050 lumens or less	Permitted

(b) Lighting marked "permitted" in this table shall be fully shielded where feasible, partially shielded in all other cases, and shall be focused to minimize the amount of light directed into the sky.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.7. Submission of plans and evidence of compliance.**

The applicant for any permit required by the city for work involving nonexempt outdoor light fixtures shall evidence that the proposed work will comply with this chapter. The submission shall contain but not be limited to the following:

- (1) The location of the site where the outdoor light fixtures will be installed;
- (2) Plans indicating the location and type of outdoor light fixtures on the premises;
- (3) A description of the outdoor light fixtures including but not limited to manufacture's catalog cuts and drawings.

The above required plans and descriptions shall be sufficiently complete to enable the building director to readily determine whether compliance with the requirements of this chapter 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 further evidence of compliance enabling such determination.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.8. Prohibitions.**

(a) No person shall install an outdoor light fixture other than a low pressure sodium light on any private roadway or street except that this prohibition shall not apply to any such roadway or street adjacent to a single-family dwelling or multifamily complex of three (3) or fewer units.

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

- (1) On-premise advertising signs may be illuminated while the business facility is open to the public;
- (2) Billboards may remain illuminated until midnight;
- (3) Outdoor sales, commercial, assembly, repair and industrial areas may be illuminated when such areas are actually in use;

- (4) Outdoor recreational facilities may remain illuminated to complete specific organized recreational activities that are in progress and under illumination at 11:00 p.m.
- (c) All Class II lighting may remain illuminated all night.
- (d) All Class III lighting shall be off between 11:00 p.m. and sunrise.
- (e) Operation of searchlights for advertising purposes is prohibited.
- (f) All Class I and Class III lighting in existence on the effective date of this chapter shall comply with subsections (b) and (d) of this section within twelve (12) months after such date.
- (g) Any person who acquires a building permit within sixty (60) days after the effective date of this chapter shall not be required to initially install lighting in compliance with the terms of this chapter except that such persons shall be required to comply with subsections (b) and (d) of this section within twelve (12) months of such installation.  
(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.9. Permanent exemptions.**

- (a) All outdoor light fixtures existing and legally installed or possessing a building permit within sixty (60) days after the effective date of this chapter are exempt from the requirements of this chapter except that:
  - (1) When existing luminaries are reconstructed or replaced and such reconstruction or replacement requires a city building permit, such reconstruction or replacement shall be in compliance with this chapter.
  - (2) Section 39.8(b), (c) and (d) regarding the hours of illumination shall apply.
- (b) 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.
- (c) Outdoor lights for seasonal holiday decorations are exempt from the requirements of this chapter.

(d) Temporary outdoor light fixtures used by law enforcement or emergency services personnel to protect life and property are exempt from the requirements of this chapter.

(e) All residential homes shall be exempt from the provisions of this chapter except for multi-family residential developments over three (3) units.

(Ord. No. 91-46, § 1, 10-9-91)

**Sec. 39.10. 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. No. 91-46, § 1, 10-9-91)

**Sec. 39.11. Violations and penalties.**

It shall be unlawful for any individual to operate, erect, construct, enlarge, alter, replace, move, improve, or convert any outdoor light fixture, or cause the same to be done, contrary to or in violation of any provision of this chapter. Any 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. Violation of this chapter shall be punishable in the same manner as those violations punishable under section 1.7(a)(1) of the Oceanside City Code.

(Ord. No. 91-46, § 1, 10-9-91)



CITY OF OCEANSIDE  
BUILDING DEPARTMENT  
**LIGHT POLLUTION ORDINANCE**  
Plan Check Questionnaire

Job Address \_\_\_\_\_ Plan ID No. \_\_\_\_\_

Chapter 39 of the Oceanside City Code (attached) regulates outdoor lighting for the purpose of limiting as much as possible the emittance of light rays that might have a detrimental effect on the operation of the Palomar Observatory. Lamp types are classified Class I, II, and III based on the character of their use.

- Class I - *Color Rendition Important*
- Class II - *Parking Lots, Roadways, Security*
- Class III - *Decorative*

Class II and III lighting is essentially limited to the use of low pressure sodium and similar low lumen type lamps. Class I lighting allows other types of lamps where color rendition is important.

City policy is to allow Class I lighting for parking lots, roadways, security and other similar uses when the need for public safety supersedes the need to restrict lighting. Please complete the following questionnaire for review during plan check:

The plans for this project include lighting with ratings above 4050 lumens in the following locations which are not specifically included in the definition of Class I lighting:

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Color rendition is important in these locations for the following reasons:

- ☐ Accurate identification of people and vehicles for public safety purposes.
- ☐ To assist emergency medical personnel in the observation of patient conditions.
- ☐ To deter vandalism and similar behavior.
- ☐ Other \_\_\_\_\_

**Requested By**

Name (Print)	Title/Affiliation	Signature	Date
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**Approved By**

Name (Print)	Title	Signature	Date
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**Note:** Approval of the use of Class I lighting as noted above presumes compliance with all other requirements of OCC Chapter 39.