

City of San José, California

CITY COUNCIL POLICY

TITLE OUTDOOR LIGHTING ON PRIVATE DEVELOPMENTS	PAGE 1 of 3	POLICY NUMBER 4-3
	EFFECTIVE DATE 3/1/83	REVISED DATE 6/20/00

APPROVED BY

Council Action – March 1, 1983; Revised by Council Action – June 20, 2000

BACKGROUND

The City of San Jose has pioneered the use of outdoor lighting that saves energy and preserves the night sky for astronomical research, while creating appropriate levels of lighting for nighttime activities. The City, beginning in 1980, began converting all public street lighting outside of Downtown to low-pressure sodium lights, which are energy-efficient, cost-effective and minimize interference with astronomical research at Lick Observatory (see Policy No. 4-2 (Revised 1-12-82) for the City's Street Light Conversion Policy.) The benefits the community has derived from low-pressure sodium lighting on public streets and property warrant the use of low-pressure sodium lights on private developments. To further these goals, the City Council, on March 1, 1983, approved Resolution No. 56286 adopting as City policy the requirement that low-pressure sodium illumination be used in the outdoor areas of new private developments. The regulation of outdoor lighting fixtures has resulted in energy conservation, which furthers the goals of the Sustainable City Major Strategy of the San Jose 2020 General Plan. The year 2000 revision clarifies the policy intent and its application.

PURPOSE

The purpose of this policy is to promote energy-efficient outdoor lighting on private development in the City of San Jose that provides adequate light for nighttime activities while benefiting the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

POLICY

General Statement of Policy

- The use of low-pressure (LPS) sodium lighting for outdoor, unroofed areas shall be required for all private development in the City of San Jose as a condition of approval on all Land Use Development Permits. Below are the parameters for such lighting:
- No light source shall be directed skyward.
- All light sources that produce more than **4,050 lumens** shall be **fully shielded** (full cutoff) to prevent light aimed skyward.
- All light sources that produce less than **4,050 lumens** must be at least **partially shielded**.
- Lighting fixtures that illuminate pedestrian walkways may use light sources other than LPS, but only when such fixtures are **fully shielded**.
- Seasonal decorative lighting is allowed to be unshielded only if using very low-wattage fixtures with a cumulative luminosity that does not negatively affect other properties or the night sky. The Director of Planning reserves the right to limit any lighting that adversely affects other properties or the night sky.
- All outdoor lighting fixtures, including display lighting, shall be turned off within one hour of the close of business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.

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- Lighting fixtures and architectural detailing that use luminous tube lighting (neon, argon or krypton) should be limited to yellow, orange and red colors to minimize interference with the Observatory.
- When luminous tube lighting is used in signage, it is subject to the provisions of the Sign Ordinance.
- Properties with existing non-conforming lighting shall be required to conform to this policy as a part of any permit for reuse, expansion of use, or change in use.

Exceptions

The Director of Planning shall consider exceptions to the use of low-pressure sodium lighting for outdoor areas only during a development permit process for the property. All exceptions shall require a photometric study of the proposal, a referral to the Lick Observatory, and must be the subject of a public hearing. Any alterations or changes to the lighting plan of a development permit that involve the use of illumination fixtures other than LPS must likewise be granted by the Director and be the subject of a public hearing. Any member of the public may appeal decisions about exceptions to this policy before the Planning Commission.

The Director of Planning may grant exceptions to LPS only for uses within a nighttime environment where it is deemed appropriate. Parking lots and driveways shall not be considered for exemption from the low-pressure sodium lighting requirement regardless of nighttime environment. The City of San Jose has several different types of nighttime environments:

- ❖ Intrinsically dark environments such as county and regional parks, rural areas, areas adjacent to optical astronomical observatories, and areas with minimal or no outdoor lighting shall be lit at the minimum level necessary and shall not be

considered for exemptions from the LPS requirement.

- ❖ Suburban and rural residential areas shall remain areas of low-ambient light levels and also shall not be considered for exception from the LPS requirement.
- ❖ Urban residential areas are areas of medium-ambient light levels and shall not be considered for exception from the LPS requirement, except in limited circumstances for recreational facilities, as specified below.
- ❖ For urban areas of mixed residential and commercial use, exceptions may be granted by the Director of Planning only for the specific uses specified below.

Within the nighttime environments where higher levels of light could be considered, only specific land uses may qualify for exception from the LPS requirement. Exceptions using other outdoor light illumination fixtures including incandescent, metal halide, high-pressure sodium, fluorescent, and mercury vapor, are limited to the following circumstances:

- *Pedestrian-Oriented Nighttime Districts:* For pedestrian-oriented nighttime activity areas with vertical mixed residential and commercial use or business districts adjacent to residential areas (including areas of Neighborhood Business Districts), exceptions to the use of LPS lighting shall be considered only where other lighting is crucial to the success of pedestrian-oriented businesses. Outdoor lighting shall be **fully shielded** regardless of the lumen output and reduced to the minimum level necessary by 10:00 p.m. or within an hour of the close of business, whichever is later.
- *Outdoor recreational facilities:* For field sports such as football, baseball, softball or soccer, **partially shielded** light fixtures may be used during such recreational events. Recreational

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uses such as tennis, volleyball, handball, and racquetball shall use fully shielded fixtures. Lighting for outdoor recreational activity must be extinguished by 11:00 p.m., or when the activity is concluded, but only if the event began before 10 p.m.

- *Outdoor automobile sales areas and outdoor material handling areas:* This exception will only be considered in areas where color rendition is critical to preserve the effectiveness of these specified activities. Non-LPS lighting must be **fully shielded** and extinguished by 10:00 p.m. or within one hour of the close of business, whichever is later.

The Downtown Core, as defined in the General Plan, is exempt from the provisions of this policy, as are any areas that the Council has exempted up until the date of this revision. To allow time for further review of associated issues, the current exemption for outdoor automobile sales areas shall continue for one year from the date the City Council approved revisions to this policy on June 20, 2000.

Definitions

Fully Shielded: For the purposes of this policy, fully shielded shall mean an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below a horizontal plane extending from the bottom of the light fixture.

Partially Shielded: For the purposes of this policy, partially-shielded light fixtures means an outdoor light fixture shielded in such a manner that not more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at angles above a horizontal plane extending from the bottom of the fixture.

4,050 lumens: The acceptability of a particular light fixture is decided by its lumen output. The lumen output of a lighting fixture are specified by the manufacturer. Some typical examples of fixtures that produce 4,050 lumens are 200 Watt standard incandescent, 150 Watt Tungsten-Halogen (quartz), 50 Watt High Pressure Sodium, 50 Watt Cool White Fluorescent, and 30 Watt Low Pressure Sodium.