

ORDINANCE NO. 2018 - 424

ORDINANCE AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE RELATIVE TO OUTDOOR LIGHTING

WHEREAS, on April 27, 2016, the Town Council of the Town of Portola Valley (“Town”) directed staff to update the outdoor lighting regulations to reflect increasing concern with safety and new lighting technologies available to residents;

WHEREAS, the Town remains committed to preserving its dark skies and rural character;

WHEREAS, Dark-Sky compliant light fixtures and their equivalent are readily available and highly effective at directing lighting only where it is needed for safety and security, and preventing the nuisance of glare;

WHEREAS, the ASCC heard public comments and helped craft new ordinance language at duly noticed hearings held on December 18, 2017, February 26, 2018 and March 12, 2018;

WHEREAS, the Planning Commission held a duly noticed hearing on April 4, 2018 regarding the proposed ordinance, and recommended them to the Town Council for approval;

WHEREAS, the proposed ordinance are not subject to the provisions of the California Environmental Quality Act (“CEQA”) because the activity is not a project defined by Section 15378 of the CEQA Guidelines;

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

1. AMENDMENT OF CODE. Subsection (A)(8) of Section 18.36.040 [Uses Permitted in All Districts – Accessory Uses] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended in its entirety to read as follows:

8. Outdoor Illumination

- i. Purpose. The purpose of this subsection is to provide clear regulations regarding allowable outdoor lighting. The Town’s General Plan states: “Night lighting visible from the exterior of buildings should be strictly limited to that necessary for security, safety and identification. All night lighting, including signs, should be low intensity and shielded from view from residential areas.” This chapter aims to provide regulations for outdoor lighting that will:
 - a. Permit the use of outdoor lighting that does not exceed the minimum necessary for night-time safety, utility, security, and enjoyment.

- b. Minimize adverse offsite impacts of lighting such as light trespass and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy and star gazing in keeping with the Dark Sky movement.
- d. Help protect the natural environment from the adverse effects of night lighting.
- e. Conserve energy and resources to the greatest extent possible.

ii. Definitions

- a. Brightness shall be measured in lumens.
- b. Dark Sky Compliant Fixture or Equivalent shall mean a light fixture from which all light emitted, directly or indirectly, is projected below a horizontal plane.
- c. Flood Lighting shall mean any fixture which lights a large area, as opposed to an individual feature such as a step, path or doorway.
- d. Manual switch shall mean any light requiring a physical action to control, whether by hardwires at the property, phone or computer application, or other technology.
- e. Motion-sensor shall mean any light control which is triggered by motion.
- f. Photo-cell shall mean a light-sensitive control that switches lights on or off depending on the level of outdoor light.
- g. Timer shall mean any device which controls the hours or amount of time that a light fixture is illuminated.

iii. Applicability. All outdoor lighting installed after the date of effect of this ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location. These regulations are meant to apply only to the visible light spectrum.

- a. Exceptions.
 - 1. Lighting for signs shall be regulated by Section 18.40, Signs.
 - 2. Holiday lighting, including in trees, for up to sixty total days per calendar year.

iv. Lighting Placement.

- a. Exterior doors shall have one fixture each.
- b. Garage doors may have one or two fixtures, which shall be limited to a total lumen count of 1,125 lumens.
- c. Low path, step and wall lights for safety and navigation purposes for pedestrian and other non-vehicular uses.
- d. Lighting for exterior patios and dining areas shall be recessed & shielded from off-site visibility.

- v. Fixture Type. All outdoor lighting fixtures shall be Dark Sky compliant or equivalent; specifically, they shall include the following elements:
 - a. Shield directing light downward;
 - b. Bulb not protruding below horizontal plane at bottom of shield;
 - c. Light spill limited to the object to be illuminated;
 - d. Fixtures shall not have ability to swivel or adjust direction, except path lighting, which shall not swivel above a forty-five (45) degree angle from a vertical line down.

- vi. Lighting Control. Lighting controls and technologies shall be implemented to the effect that outdoor lights are on only when needed and never during daylight. Controls shall function with Dark Sky compliant fixtures. Current technologies include manual switches, photo-cells, timers, and motion-sensors. Any combination of these technologies may be used, with the following limitations:
 - a. Motion-sensor lights shall be triggered only by motion within a property and shall not be activated by motion in adjacent property or rights-of-way.
 - b. Photo-cells shall be used only to ensure lighting is off during the day, as opposed to on at night.
 - c. Timers shall be included on all motion-sensor lights to ensure that illumination is limited. Timers shall be used only to turn lights off, not on.
 - d. Lights shall self-extinguish within two minutes of being illuminated.

- vii. Prohibited Lighting. The following lighting types and systems are prohibited from being installed or used:
 - a. Up-lighting;
 - b. Lighting for night use of uncovered game courts, including tennis, paddle tennis, basketball, riding rings, and similar outdoor recreation facilities and areas;
 - c. Aerial lasers and other focused beams;
 - d. Flood lights or lighting;
 - e. Searchlights;
 - f. Lighting with no on/off switch or ability to be controlled;
 - g. Any permanent or temporary lighting in which any single light source exceeds 1,125 lumens.
 - h. Festoon, café, or any other string of exposed blubs.

- viii. Lighting Requiring ASCC Approval. The following light fixtures, placements, or types are generally discouraged and require ASCC approval in order to be installed:
 - a. Lighting for landscaping, trees or structures, including entryway features, pillars and posts;
 - b. Commercial parking lighting.

2. AMENDMENT OF CODE. Subsection (018) of Section 18.42 [Accessory Structures] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended in its entirety to read as follows:

018. Outdoor Lighting. Outdoor lighting for all accessory structures shall conform to Section 18.36.040.A.8, Outdoor Illumination, of the Portola Valley Municipal Code.

3. SEVERABILITY. If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

4. ENVIRONMENTAL REVIEW. Pursuant to Public Resources Code Section 15378, the proposed amendments are not a project and therefore are not subject to the California Environmental Quality Act.

5. EFFECTIVE DATE; POSTING. This ordinance shall become effective 30 days after the date of its adoption and shall be posted within the Town in three public places.

INTRODUCED: July 11, 2018

PASSED: August 8, 2018

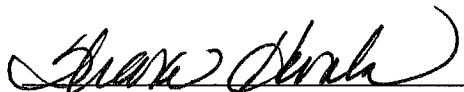
AYES: Councilmembers Hughes, Derwin, Aalfs and Mayor Richards

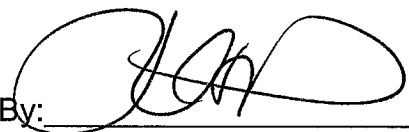
NOES: None

ABSTENTIONS: None


ABSENT: Vice Mayor Wengert

ATTEST


Town Clerk

By: 
Mayor

APPROVED AS TO FORM


Town Attorney