



Land Use Services Department
Planning Division

BOARD OF SUPERVISORS HEARING

Land Use Services Department

Light Trespass Ordinance

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Director

December 7, 2021



An ordinance is proposed to repeal and replace Chapter 83.07 of the County Code (Development Code) currently titled “Glare and Outdoor Lighting” with “San Bernardino County Light Trespass Ordinance” with clarifications and updates, including:

- Definitions
- Region-Based Standards
- Focus on Light Trespass and Light Pollution
- Essential Lighting Exemptions
- Provisions for Replacement of Non-Conforming Lighting
- Enforcement Standards

- Lumen – a unit of measure to quantify the amount of visible light, now used to label lamps instead of wattage, which is a measure of power consumption.
- Foot Candle – a measure of illumination, defined as one lumen per square foot.
- Kelvin – a measure of color temperature of a light source, with warmer light having lower kelvin values and cooler light registering higher numbers.
- Light Trespass – artificial light falling on a neighboring property instead of being directed downward and inward with appropriate shielding.
- Light Pollution – unintended adverse effects of excessive outdoor light.

- Light Trespass: Urban lighting standards for the Valley Region remain essentially unchanged but updated and defined as avoidance of light trespass instead of “glare”.
- Shielding of Light sources on commercial and industrial property is required to prevent light trespass onto residential properties, consistent with current standards.
- Note: Dark Sky protections proposed for the Mountain and Desert regions would not apply in the Valley Region.

- Light Shielding to prevent light trespass is required (same as in the Valley).
- String Lights are permitted, with a maximum of 40 lumens per lamp, 4,000 lumens total and a maximum temperature of 3,000 Kelvin.
- Dark Sky Curfew: To protect dark skies in Mountain and Desert areas from light pollution, the ordinance would establish a curfew for outdoor lighting to be extinguished by 11:00 p.m., or at the close of business, or when people are no longer present in the lit area, whichever is later.

Exceptions to the Dark Sky Curfew:

- Lights illuminating structure entries and exits, parking areas, roads or driveways.
- Lights activated by motion sensors and set to extinguish within 5 minutes.

The following exempt sources of light are not regulated by the proposed ordinance:

- Indoor Light
- Lighting of streets and roads
- Lighting used for aircraft navigation or warnings
- Lighting illuminating permitted signs and address signs
- Lighting of outdoor work areas at permitted facilities
- Temporary lighting needed during construction or emergencies
- Short-term lighting authorized for permitted events and temporary uses
- Short-term lighting for outdoor sports and recreation
- Seasonal holiday lights displayed within 30 days before or after the holiday
- Outdoor lighting in other jurisdictions (Federal/State/Cities/Tribal lands)

The ordinance requires existing non-compliant lighting fixtures to be brought into compliance within the following periods:

- Commercial and Industrial properties shall comply within 18 months from the effective date of the ordinance.
- All other properties shall comply within 24 months from the effective date of the ordinance.
- Extensions of time may be requested and granted for up to 12 months.
- Typical fixture compliance issues would be shielding or motion sensor activation
- Enforcement provisions of this ordinance are simplified, with standards evaluated by visual inspection or measured by a light meter.

The Light Trespass Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15061(b)(3) of the CEQA guidelines for proposals that clearly will not have significant adverse effects on the environment.

The proposed ordinance was introduced to the Planning Commission on February 4, 2021.

A workshop was held by the Planning Commission on May 27, 2021, with a presentation and lighting demonstration by members of the Third District Dark Sky Committee.

On September 9, 2021, the Planning Commission conducted a public hearing and recommended approval of the Project by a unanimous vote. Following the hearing, two additions were made to the list of exemptions, consistent with the Planning Commission recommendation:

- Seasonal Lighting was discussed with the Commission as a proposed exemption but was unintentionally omitted from the draft ordinance.
- Lighting required to safely illuminate permitted outdoor work activities was added, consistent with other exemptions for temporary outdoor construction, permitted outdoor events and transportation safety.

That the Board of Supervisors:

1. Conduct a public hearing to consider the proposed ordinance.
2. Make alterations, if necessary, to the proposed ordinance.
3. Approve introduction of the proposed ordinance.
4. Adopt the findings as recommended by the Planning Commission.
5. Adopt the ordinance.
6. Direct the Clerk of the Board to file a Notice of Exemption.