



City Council Staff Report

DATE: February 5, 2014 CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1839 AMENDING PARAGRAPHS B.4, C.2, C.6, C.8, AND C.9 OF SECTION 93.21.00 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE INCLUSION OF LED (LIGHT-EMITTING DIODE) LIGHTING AS A PERMITTED LIGHTING FIXTURE TYPE ALLOWED IN THE CITY'S OUTDOOR LIGHTING STANDARDS

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance No. 1839.

RECOMMENDATION:

Waive the reading of the full text of the ordinance and adopt Ordinance No. 1839, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PARAGRAPHS B.4, C.2, C.6, C.8, AND C.9 OF SECTION 93.21.00 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE INCLUSION OF LED (LIGHT-EMITTING DIODE) LIGHTING AS A PERMITTED LIGHTING FIXTURE TYPE ALLOWED IN THE CITY'S OUTDOOR LIGHTING STANDARDS."

STAFF ANALYSIS:

On January 15, 2014, Ordinance No. 1839 was introduced for first reading, as noted below:

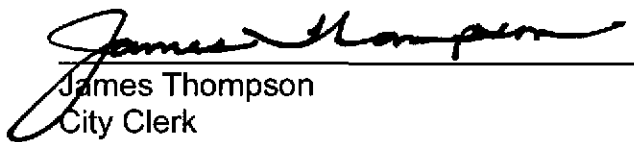
ACTION: Waive the reading of the ordinance text in its entirety and read by title only and introduce on first reading Ordinance No. 1839, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PARAGRAPHS B.4, C.2, C.6, C.8, AND C.9 OF SECTION 93.21.00 OF THE PALM SPRINGS ZONING CODE, RELATING TO THE INCLUSION OF LED (LIGHT-EMITTING DIODE) LIGHTING AS A PERMITTED LIGHTING FIXTURE TYPE ALLOWED IN THE CITY'S OUTDOOR LIGHTING

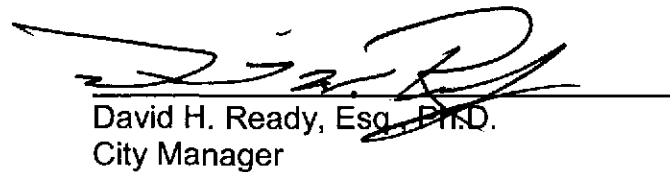
Item No. **2.D.**

STANDARDS;" Motion Councilmember Lewin, seconded by Councilmember Foat and unanimously carried on a roll call vote..

AYES: Councilmembers Foat, Lewin, Mills, Mayor Pro Tem Hutcheson, and Mayor Pougnet.
NOES: None.
ABSENT: None.
ABSTAIN: None.

This report provides for the City Council to waive further reading and adopt the ordinance. The ordinance shall be effective 30-days from adoption.


James Thompson
City Clerk


David H. Ready, Esq., Ph.D.
City Manager

/kdh

Attachment: Ordinance No. 1839

ORDINANCE NO. 1839

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING PARAGRAPHS B.4, C.2, C.6, C.8, AND C.9 OF SECTION 93.21.00 OF THE PALM SPRINGS MUNICIPAL CODE, RELATING TO THE INCLUSION OF LED (LIGHT-EMITTING DIODE) LIGHTING AS A PERMITTED LIGHTING FIXTURE TYPE ALLOWED IN THE CITY'S OUTDOOR LIGHTING STANDARDS.

City Attorney Summary

This Ordinance allows the use of Light-Emitting Diode lighting as a permitted fixture type for outdoor use in the City.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDS:

A. This Ordinance expressly authorizes the inclusion of LED (light-emitting diode) lighting, a more energy-efficient option to high pressure sodium lights, as a permitted outdoor lighting fixture type while maintaining the existing lighting intensity criteria, standards, and requirements. Thus, the Council finds that this Ordinance promotes and protects the public health, safety, and welfare of the people of the City of Palm Springs and provides for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources.

B. The City Council has recently updated its Title 24 requirements with the update of the Building and Fire Codes and consistent with the provisions of Section CD11.1 of the City's General Plan, the City has reviewed its lighting standards and this Ordinance effects changes consistent with such updates.

C. The adoption of this Ordinance is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and the Council it has determined the adoption of this Ordinance is Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act because the Ordinance only provides insignificant changes to the title and provides additional lighting options that are in compliance with state energy conservation requirements (Title 24).

D. A notice of public hearing of the Planning Commission of the City of Palm Springs, California for Case 5.1308 ZTA (Zone Text Amendment) was given in accordance with applicable law and on December 11, 2013, a public hearing before the Planning Commission was held to review this Ordinance, and the Planning Commission reviewed and recommended unanimous approval of the Ordinance.

E. A notice of public hearing of the City Council of the City of Palm Springs, California for Case 5.1308 ZTA (Zone Text Amendment) was given in accordance with applicable law and on January 15, 2014, a public hearing of the City Council was held to review this Ordinance, and the City Council reviewed and considered all of the evidence

presented in connection with the hearing on the Ordinance, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA ORDAINS:

Section 1. Paragraph B.4 of Section 93.21.00 of the Palm Springs Municipal Code is amended to read (as an exception from the regulations of Section 93.21.00):

4. In single family residential zones, fixtures containing lamps emitting less than one thousand eight hundred (1,800) lumens (twenty (20) watts for light emitting diode (LED) sources, twenty-six (26) watt for fluorescent lighting, fifty (50) watt for high intensity discharge, and one hundred (100) watt for incandescent) provided the light fixture is fully shielded and properly focused downward to minimize glare and spill light into the night sky and onto adjacent properties and does not exceed a height of fifteen (15) feet;

Section 2. Paragraph C.2 of Section 93.21.00 of the Palm Springs Municipal Code is amended to read:

2. Entrance Lighting.

Multi-family residential and nonresidential development shall provide glare-free light fixtures at building entrances and exits. Nonresidential developments shall provide for lighting in accordance with this chapter at all vehicle and pedestrian entrances and on-site vehicle intersections. Entrance lighting may not exceed a height of twelve (12) feet and must be high pressure sodium or light emitting diode sources. In order to promote safety, lighting levels at entrances shall not be less than equal to the average lighting level of the associated parking lot.

Section 3. Paragraph C.6 of the Palm Springs Municipal Code is amended to read:

6. Hours of Operation.

- a. All off-street parking areas associated with multifamily residential, commercial and industrial uses shall be illuminated at night. Multifamily residential lighting systems shall provide the full illumination required herein throughout the night hours. Nonresidential uses shall provide the full illumination required during hours the facility is accessible to customers, employees and other users with a maximum of fifty (50) percent of full illumination provided throughout the remainder of night. Exterior lighting control shall meet the requirements of the State of California Title 24.
- b. Outdoor lighting used for illumination for walkways, private roadways and streets, equipment yards and outdoor security may remain on all night.
- c. Outdoor lighting used for outdoor sales or eating areas, assembly or repair areas, signs, recreational facilities and other similar applications, shall be off between the time thirty (30) minutes after the closing of the business

and sunrise. Areas which contain approved permanent outdoor storage may be lighted at fifty (50) percent of full illumination.

Section 4. Paragraph C.8 of Section 93.21.00 of the Palm Springs Municipal Code is renumbered as Paragraph C.7 (which was not previously referenced in the Code) and is amended to read:

7. Permitted Lamp Fixture Types.

Lighting in parking areas is limited to high pressure sodium and light emitting diode (LED) sources. Metal halide and LED may be utilized to light architectural elements and pedestrian walkways.

Section 5. Paragraph C.9 of Section 93.21.00 of the Palm Springs Municipal Code is renumbered as Paragraph C.8.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED AND ADOPTED at a regular meeting of the City Council on the ____ day of _____ 2014, by the following vote:

Stephen P. Pougnet
Mayor

ATTEST:

James Thompson
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. ____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California