



CITY COUNCIL STAFF REPORT

DATE: SEPTEMBER 3, 2014

PUBLIC HEARING

SUBJECT: CITY OF PALM SPRINGS FOR A PROPOSED ORDINANCE AMENDING PALM SPRINGS ZONING CODE SECTION 93.21.00 IN ITS ENTIRETY TO ADD INFORMATION AND ILLUSTRATIONS THE MOST RECENT TECHNOLOGY. (CASE 5.1344 ZTA)

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council will consider the introduction of an Ordinance to update and revise the Outdoor Lighting standards, Section 93.21.00 of the Zoning Code, to conform to current standards and best practices. The current ordinance pre-dates newer technology that allows more energy efficient fixtures and other advancements in the industry.

RECOMMENDATION:

1. Open the public hearing and receive public testimony;
2. Consider inclusion of modification to subsection A.18 and one additional definition term as discussed in this report;
3. Waive the reading of the ordinance text in its entirety and read by title only; and Introduce on first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING IN ITS ENTIRETY SECTION 93.21.00 OF THE PALM SPRINGS ZONING CODE, RELATING TO THE OUTDOOR LIGHTING STANDARDS TO ADD INFORMATION AND ILLUSTRATIONS REGARDING THE MOST RECENT TECHNOLOGY. CASE 5.1344 ZTA."

BACKGROUND INFORMATION

The current Outdoor Lighting ordinance was adopted in 2000. On February 5, 2014, the City Council adopted a minor amendment to allow LED fixtures and other adjustments to night lighting operation.

On July 9, 2014, the Planning Commission recommended approval of the revised Outdoor Lighting ordinance, Section 93.21.00.

ANALYSIS:

As new technology has emerged, the City's outdoor lighting ordinance has become dated. Staff worked with an engineering consultant to revise the ordinance in its entirety with new, updated requirements and illustrations that depict best practices and lighting fixture examples.

The revised ordinance includes three subsections:

- A. Intent, Purpose and Luminaire Requirements
- B. Illumination Levels and Requirements
- C. Definitions

Requirements now include more detail of lighting fixtures and lumen standards. The process for approval of lighting plans has changed in the new ordinance to require Planning Commission approval of all exterior lighting plans (see subsection A.18 of proposed ordinance). Staff currently reviews a majority of exterior lighting plans under the current ordinance. While the Planning Commission included this change in their recommendation, staff believes this creates a burden for applicants during the construction plan check review process as it adds additional review time. Staff recommends the City Council consider a revision to this section to require approval by staff to minimize delays, as follows:

- 18. All site lighting plans for residential, nonresidential and multifamily developments are subject to approval of architectural review by staff as follows: ...

In addition to the above, staff believes the definition of "Nadir" should be included in the ordinance after further review. Although it was not part of the Planning Commission's review and recommendation, staff believes it will provide further clarification to those reviewing the ordinance:

Nadir - the direction pointing directly below a particular location.

Staff reviewed these changes informally with the Planning Commission at their August 27th meeting and the Commission expressed no concerns with these adjustments.

Staff has prepared the draft ordinance for City Council consideration and recommends subsection A.18 and the definition above be included prior to adoption.

ENVIRONMENTAL DETERMINATION:

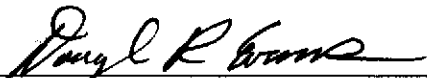
Pursuant to the California Environment Quality Act (CEQA) guidelines, the project is a Class 5 exemption and is categorically exempt per Section 15305 (Existing Facilities) of the Guidelines for the Implementation of the California Environmental Quality Act.

NOTIFICATION

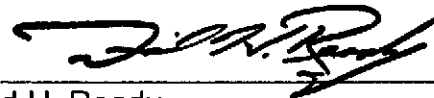
A public hearing notice was published. The Planning Department received one phone inquiry requesting additional information on the amendment. No other correspondence has been received as of the writing of this report.

FISCAL IMPACT:

No fiscal impact.



Douglas R. Evans
Interim Director of Planning Services



David H. Ready
City Manager

Attachments:

- Draft Ordinance
- Current Ordinance: *Outdoor Lighting Standards*, Section 93.21.00 of Zoning Code
- 7/09/2014 Planning Commission Minutes

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AMENDING IN ITS ENTIRETY SECTION 93.21.00 OF THE PALM SPRINGS ZONING CODE, RELATING TO THE OUTDOOR LIGHTING STANDARDS. (CASE 5.1344 ZTA).

City Attorney's Summary

This Ordinance amends the City's current outdoor lighting standards to conform to current technological standards and best practices available through more efficient lighting fixtures and industry advancements

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

- A. The proposed amendment is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and the proposed amendment be determined to be Categorically 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 proposed zone text amendment proposes minor changes and further restrictions on additional types of lighting throughout the City; and
- B. On July 9, 2014, a public hearing of the Planning Commission was held in accordance with applicable law for Case 5.1344 ZTA, and at said hearing the Planning Commission recommended approval of an amendment to Section 93.21.00 in its entirety; and
- C. A notice of public hearing of the City Council of the City of Palm Springs, California for Case 5.1344 ZTA (Zone Text Amendment) was given in accordance with applicable law; and
- D. On September 3, 2014, a public hearing of the City Council was held to review said case, and at said hearing the City Council reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.
- E. Pursuant to PSZC Section 94.07.01 (Zoning Ordinance Text Amendment), the City Council finds as follows:
- A. The proposed zoning code amendment is consistent with the intent of the zoning code, because, according to Section 91.00.00, the Zoning Code is adopted "For the purpose of promoting and protecting the public health, safety and welfare of the people of the City of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources ..."; and
- B. The proposed zoning code amendment is consistent with the intent of the

general plan, because, the General Plan goals include:

Goals

CD 11 *Utilize low lighting levels to emphasize the "village" character of the community and to minimize light pollution in the Coahcella Valley.*

Policies

CD 11.1 *Use illumination levels that are appropriate to the activity level or the size of the area.*

CD 11.4 *Require that outdoor light fixtures used for flood lighting, general illumination, or advertisement be fully shielded and properly focused to minimize glare and spill light into the night sky and onto adjacent properties.*

Action

CD 11.1 *Review City lighting standards and change as necessary to reflect updates to Title 24 requirements.*

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

Section 1. The Palm Springs Zoning Code, Section 93.21.00, is hereby amended in entirety as set forth in the attached Exhibit "A."

Section 2. 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 (30) days after passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2014.

ATTEST:

STEPHEN P. POUQUET, MAYOR

JAMES THOMPSON, CITY CLERK

APPROVED AS TO FORM:

DOUGLAS HOLLAND, CITY ATTORNEY

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

EXHIBIT A

93.21.00 Outdoor lighting standards.

A. **Intent, Purpose and Luminaire Requirements**

These regulations are intended to maintain ambient lighting levels as low as possible in order to enhance the city's community character and charm and maintain dark skies. Area lighting should provide good visibility, minimum glare and minimum spillage onto other properties or into the sky. It is the intent of this section to encourage, through the regulation of the types, kinds, construction, installation and uses of outdoor electrically powered illuminating devices, lighting practices and systems to conserve energy without decreasing safety, utility, security and productivity while enhancing nighttime enjoyment of property and night skies. These regulations are intended to be consistent with the requirements of the electrical code, as adopted by the city under Palm Springs Municipal Code Section 8.04.055, except where a different standard is provided based on the local climactic, geological or topographical conditions of the city of Palm Springs.

1. Exterior lighting fixtures shall be architecturally integrated with the character of the associated structures, site design and landscape.
2. Pole mounted and wall mounted lighting fixture used for parking lot, area lighting and security lighting shall be full cutoff luminaires shielded or constructed so that all of the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Drop or sag lensed type fixtures are not be allowed. IESNA classification that describes a luminaire having a light distribution in which zero candela intensity (visible light) occurs at or above an angle of 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire. Figure 1.

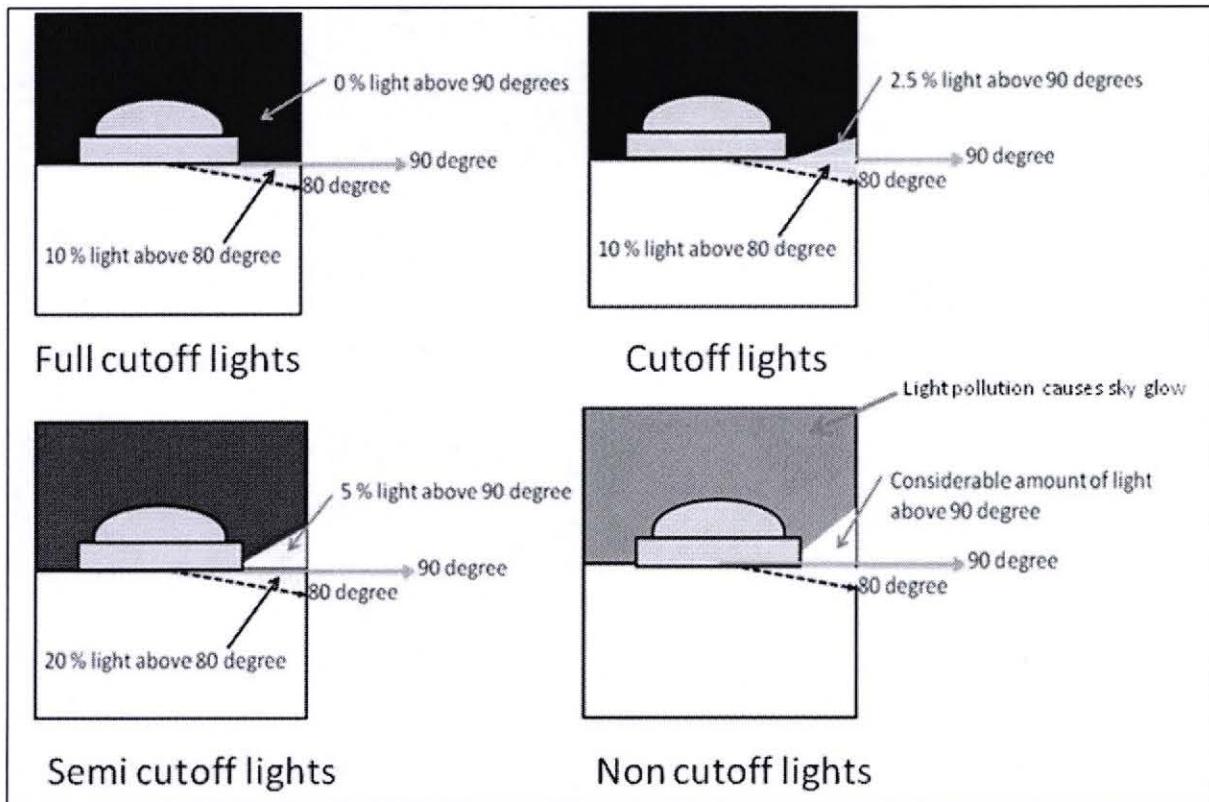


Figure 1

3. Lighting sources (lamps) approved in the City of Palm Springs for commercial and residential zones; High Pressure Sodium (HPS), Light Emitting Diodes (LED), Light Emitting Plaza (LEP), Compact Fluorescent Lamps (CFL) and Multifaceted Reflector halogen lamps (MR)
4. Lighting sources approved for public or municipal outdoor recreation facilities; High Pressure Sodium (HPS), Light Emitting Diodes (LED), Light Emitting Plaza (LEP) and Metal Halide (MH).
5. Low Pressure Sodium lighting is not approved in the City of Palm Springs.
6. All luminaries with total lamp Mean lumens above 4800 shall be full-cutoff type except for the following uses:
 - a. Outdoor advertising displays or signage; Lamp lumens for shielded signs shall no exceed 100 lumens per square foot.
 - b. Public or Municipal Outdoor Recreational Facilities. Lighting fixtures for sports facilities shall be provided with glare control devices to provide for more light on-field as noted in Figure 2.

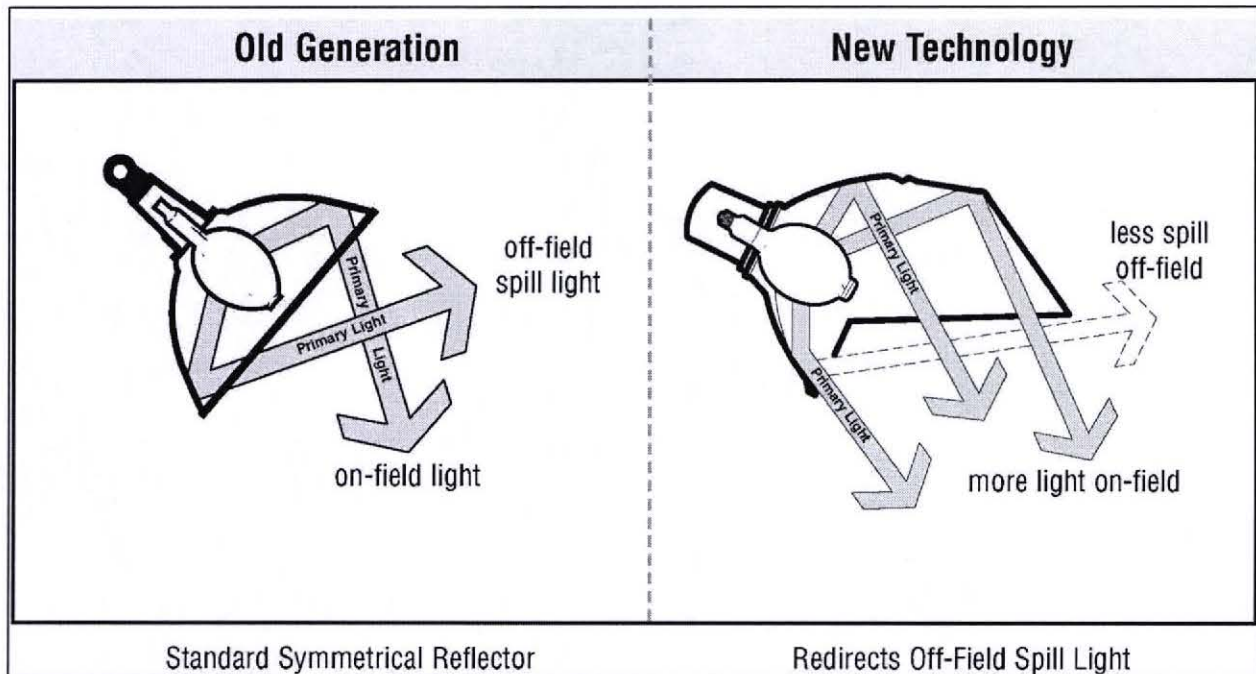


Figure 2

7. Lighting fixtures shall not produce sufficiently greater luminance (light) in an area resulting in reduced visual performance and visibility. This is known as Disability Glare.
8. Lighting fixtures shall not produce sufficiently greater luminance (light) in an area which causes discomfort but does not necessarily diminish visual performance. This is known as Disability Glare.
9. Lighting fixtures that produces illumination off the subject project site is considered an undesirable condition in which exterior lights produce illumination in an area where it is not wanted. This is known as Light Trespass.
10. Lighting fixtures that produces an unwanted effect of manmade outdoor lighting that contributes to the effect of sky glow, light trespass and/or glare. This is known as Light Pollution.
11. Lighting used to highlight architectural features, landscape, building facades, fountains etc. is acceptable and shall be adjusted and aimed during the night to insure light is focused on the designated object.
 - a. Lighting luminaries intended to be directional as described in paragraph 6 above shall be furnished with total lamp lumens of less than 4000 and must be furnished with shields, louvers and/or lenses to insure that the direct view of the lamp source is reduced. An internal fixture reflector system with a clear lens that distributes in a specific

direction is designed to promote glare control. Refractors are not a recommended to shield the lamp source.

- b. Landscape lighting fixtures intended to be directional onto landscape features with a total lamp lumens of less than 1,000 must be furnished with shields, louvers and/or lenses to insure that the direct view of the lamp source is reduced.
12. Pedestrian scale post top luminaries with total lamp lumens of less than 6000 may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not a recommended to shield the lamp source.
13. Low level lighting (bollards, step lights etc.) with total lamp lumens of less than 3500 may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed.
14. All full-cutoff type luminaries shall be mounted horizontal. Cut-off lighting fixtures with tilting capabilities are not an approved.
15. Multi-family residential and nonresidential developments shall provide glare-free light fixtures at project site entrances, building entrances and exits.
16. Non-residential developments shall provide for lighting at all vehicle and pedestrian entrances to the project site from public roadways. Entrance lighting may not exceed a height of ten (10) feet and may be high pressure sodium (HPS) or light emitting diodes (LED). The footcandle levels approximately twice the average illumination of the adjacent parking area or the adjoining street In order to promote entrance visibility and safety.
17. Lighting fixture maximum pole heights shall be as follows:
 - a. Residential Zones: maximum of eighteen feet high (18'0") in residential zones. The lamp lumens shall be 15,000 or less and provide for full-cutoff features.
 - b. Commercial Zones: maximum of twenty five feet high (25'0") in commercial zones. The lamp lumens shall be 50,000 or less and be provided with full-cutoff features.
 - c. Pedestrian pole lighting fixtures shall have a maximum height of 10'0"

above finished grade in residential and commercial zones. The lamp lumens shall be 6,000 or less and be provided with lamp shielding as described in paragraph 9 above.

18. All site lighting plans for residential, nonresidential and multifamily developments is subject to approval of architectural review and Planning Commission as follows:

- a. Submit a photometric lighting plan prepared by the project engineer showing point-by-point lighting levels for the entire lot and ten foot (10'0") beyond the project property lines.
- b. The point by point photometric plan shall provide lighting levels at a maximum of ten foot (10'0") intervals.
- c. The photometric schedule shall represent the lighting and calculations in an area equal to of eighty percent (80%) of the useable parking area. Figure 4
- d. The photometrics calculations shall be scheduled on the plan to illustrate the following; Figure 3
 1. Average to Minimum
 2. Maximum to Minimum
 3. Average Foot-candles
 4. Minimum Foot-candles

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
80% Zone Photometrics	+	2.0 fc	6.3 fc	0.4 fc	15.8:1	5.0:1	0.3:1

Figure 3

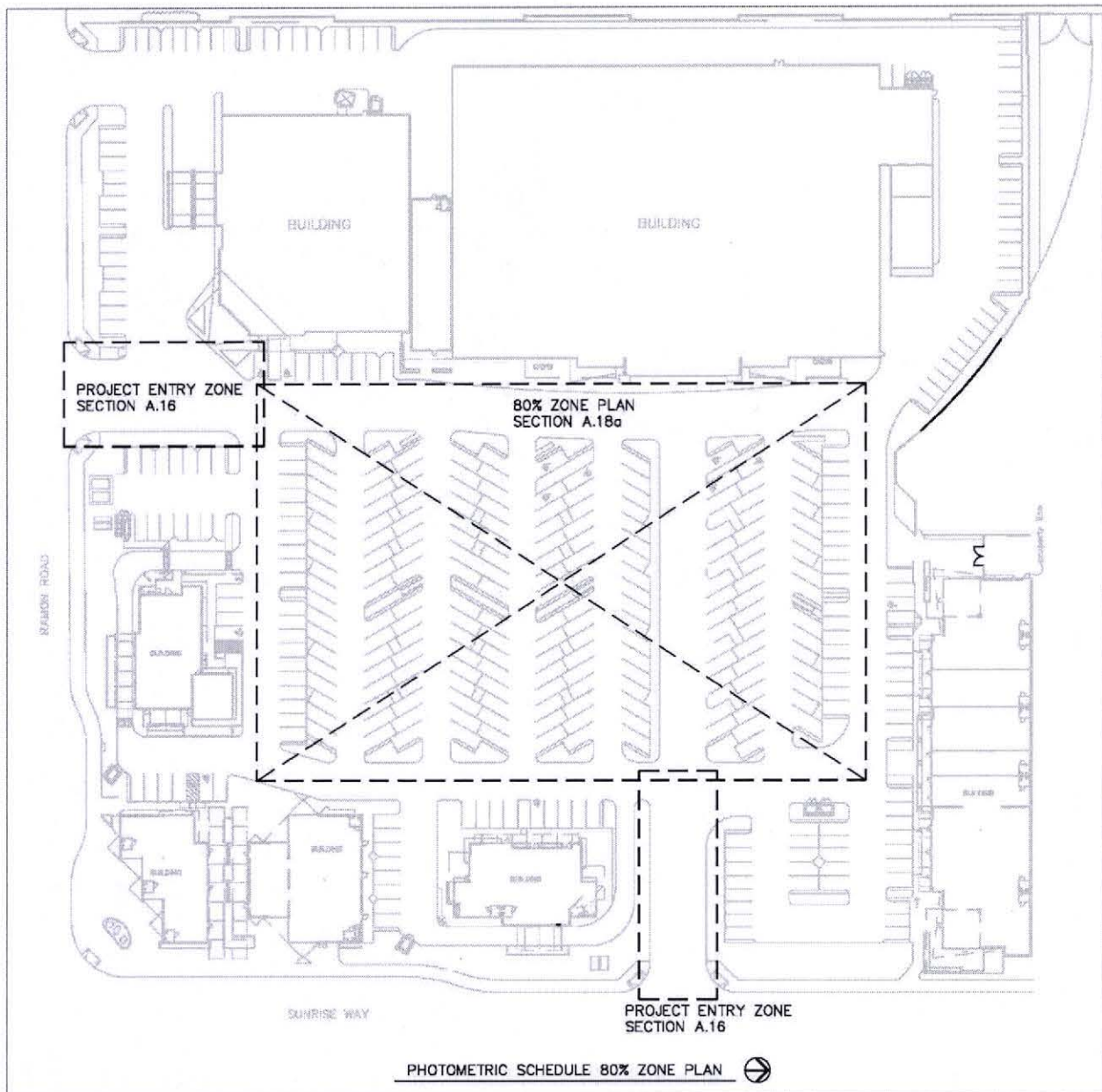


Figure 4

19. Commercial architectural decorative wall mounted lighting luminaries with total LED lamp lumens of less than 14 lumens per inch (total size of the wall light fixture face in inches) but to exceed 4000 lumens total may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not a recommended to shield the lamp source.

20. Residential architectural decorative wall mounted lighting luminaries with total

lamp lumens of less than 1,800 may be non-cutoff if the fixture meets the requirements to prevent direct view of the lamp source by shielding the source with louvers and/or opaque lens. Internal fixture reflector with a clear lens that distributes the light out of the fixture in a manner that promotes glare control may also be allowed. Refractors are not a recommended to shield the lamp source.

21. Security pole and wall pack lighting fixtures in commercial and residential zones shall only be allowed if the fixture lumens and shielding meets the requirements outlined. The following types of fixtures are examples of acceptable and unacceptable lighting fixtures. Figure 5

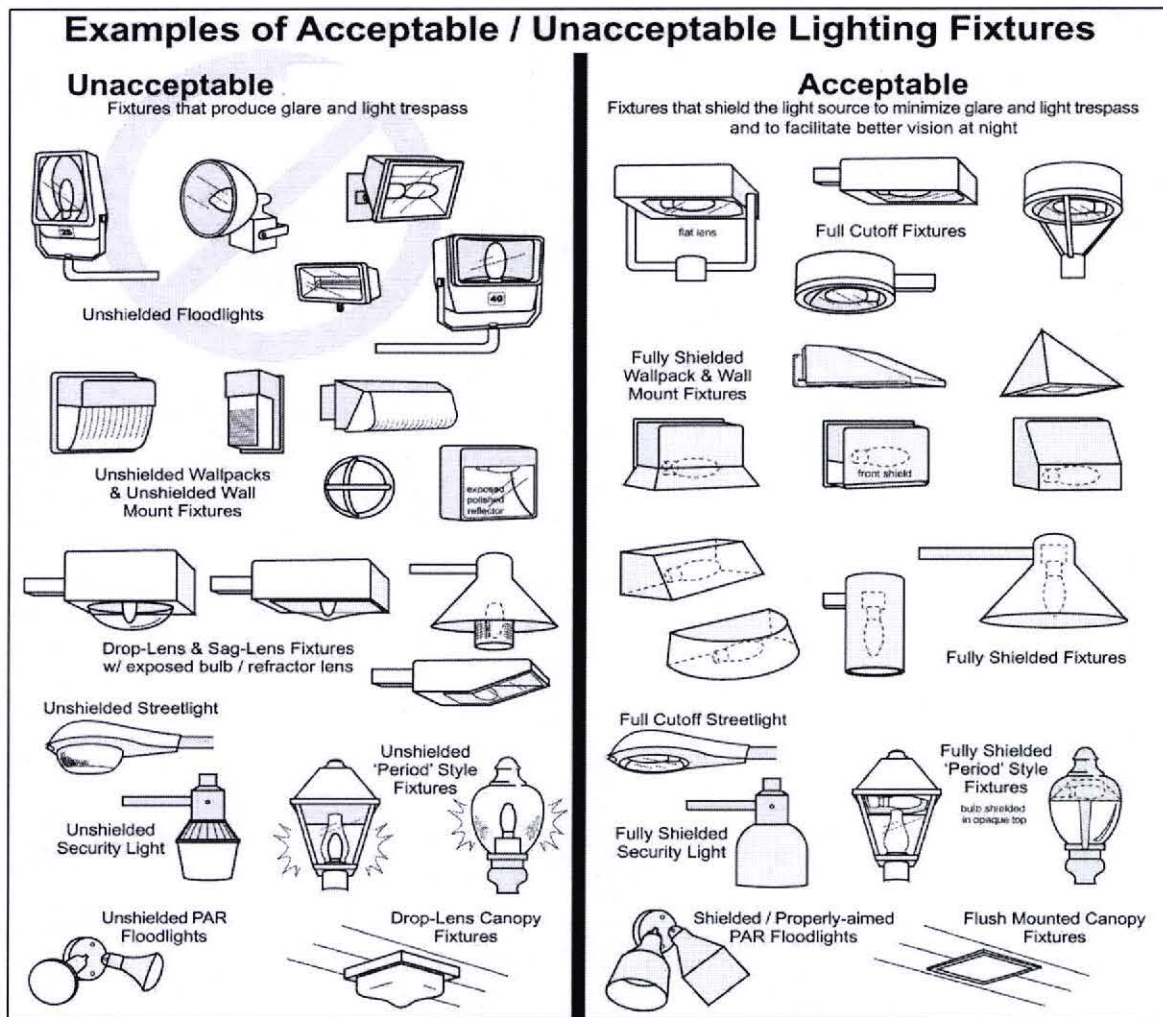


Figure 5

22. Lighting fixtures and advertising signs, boards and/or banners shall not in all zones and types shall be blink, flash or be of unusually high intensity or brightness.

23. Lighting Hours of Operation: All exterior lighting fixtures shall comply with the

adopted State of California Title 24 requirements for controls and switching, the adopted building and electrical codes. Final certificate of occupancy are subject to permit requirements and site inspection.

24. Tennis court lighting provisions can be found in Section 93.01.01, Tennis Courts.

25. The following is not subject to the provisions of article 93.21.00 Outdoor lighting standards:

- a. All outdoor light fixtures existing and legally installed prior to the effective date of this section.
- b. Decorative holiday lighting fixtures and decorations shall use light emitting diodes (LED) sources during the designated holiday season.
- c. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property.
- d. Lighting associated with a special event as described in Palm Springs Municipal Code Chapter 6.12.

26. Street lights erected on public or private right-of-way. Street light design is to be in compliance with city standards. The following criteria shall be used to evaluate requests for street lighting.

- a. Intersections in residential districts;
- b. Mid-block on residential street greater than eight hundred feet (800'0") in length;
- c. At the ends of cul-de-sacs greater than three hundred feet in length;
- d. All intersections in commercial and industrial districts;
- e. Bus stops;
- f. Other locations and/or spacing of lighting as determined by the city engineer.

B. Illumination Levels and Requirements

1. Light Emitting Diode (LED) and Light emitting Plasma (LEP) lighting for parking lots and area lighting shall be designed to the following standards:

- a. Minimum footcandles shall be 1.0 foot-candle.

- b. Average maintained light level of 1.0 footcandles to 3.0 foot-candles.
 - c. Average-to-minimum uniformity ratio shall not exceed four to one (4:1).
 - d. Maximum to Minimum uniformity ration shall no exceed 16:1.
2. The lighting system using High Pressure Sodium (HPS) shall be designed to the following standards:
- a. Minimum footcandles shall be 2.0 foot-candle.
 - b. Average maintained light level of 2.0 footcandles to 3.0 foot-candles.
 - c. Average-to-minimum uniformity ratio shall not exceed four to one (4:1).
 - d. Maximum to Minimum uniformity ration shall no exceed 16:1.
3. Only high pressure sodium (HPS), light emitting diode (LED) or light emitting plasma (LEP) sources shall be used for parking lot and area lighting.
- a. Exception: Metal Halide (MH) or other high color rendering sources may be allowed for outdoor retail such as a car dealership.

C. Definitions

Ambient light - General lighting levels not subject to this ordinance.

Brightness - Strength of the sensation that results from viewing surfaces from which the light comes to the eye.

Contrast - Is the difference between the luminaire luminous brightness and the brightness of the surrounding area.

Decorative lighting - means lighting products used for decorative effects versus lighting performance. Examples of decorative lighting include, but are not limited to, fountain lighting, lighting fixtures (pole, post or bollard style) creating a visual effect with low lumen output, led commercial outdoor string lighting, building wall sconce and chandelier lighting with low lumen lamp sources.

Disability Glare - Glare resulting in reduced visual performance and visibility. It is often accompanied by discomfort

Discomfort Glare - Glare that produces discomfort, but does not necessarily diminish visual performance

Footcandle - One foot-candle is one lumen per square foot. This simply means the amount of light which hits one square foot.

Full-cutoff - means outdoor light fixtures shielded or constructed so that all of the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Drop or sag lensed type fixtures are not be allowed. IESNA classification that describes a luminaire having a light distribution in which zero candela intensity

(visible light) occurs at or above an angle of 90° above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80° above nadir. This applies to all lateral angles around the luminaire.

HID lamp - In a discharge lamp, the emitted energy (light) is produced by the passage of an electric current through a gas. High-intensity discharge (HID) includes mercury, metal halide, and high pressure sodium lamps. Other discharge lamps are LPS and fluorescent. Some such lamps have internal coatings to convert some of the ultraviolet energy emitted by the gas discharge into visual output.

High-Pressure Sodium (HPS) lamp - is a gas-discharge lamp that uses sodium in an excited state to produce light. There are two varieties of such lamps: *low pressure* and *high pressure*. Low-pressure sodium lamps are the most efficient electrical light sources, but their yellow light restricts applications to outdoor lighting such as street lamps. High-pressure sodium lamps have a broader spectrum of light than the low pressure, but still poorer color rendering than other types of lamps. Low pressure sodium lamps only give monochromatic yellow light and so inhibit color vision at night.

IESNA - means Illuminating Engineering Society of North America.

Induction Lighting - The internal electrode less lamp or induction light is a gas discharge lamp in which the power required to generate light is transferred from outside the lamp envelope to the gas inside via an electric or magnetic field, in contrast with a typical gas discharge lamp that uses internal electrodes connected to the power supply by conductors that pass through the lamp envelope

Incandescent lamp - Light is produced by a filament heated to a high temperature by electric current. These lamps include MR Lamps, Tungsten Halogen Lamps, Par and R lamps.

Light-emitting diode (LED) - Is an electronic semi-conductor that emits light. They are considerably more efficient than traditional light bulbs and provide for long lamp life. LEDs are used in many applications such as flat-screen video displays, indoor and exterior lighting fixtures.

Light-emitting plasma (LEP) - Plasma lamps are a type of gas discharge lamp energized by radio frequency (RF) power which produces high illuminance for exterior applications such as streets, large big box parking lots and sports lighting applications. The LEP lamps have a life ranging from 30,000 to 50,000 hours, a CRI of 95. Their LEP lamp is able to operate up to 50% more efficiently than conventional HID (High-intensity discharge lamp) lamps while generating the same maintained lumens as a conventional 400 watt system at about half the energy. The technology also allows the lamp to be dimmed to 50% of the rated lamp lumen output.

Light pollution - An unwanted effect of manmade outdoor lighting that contributes to the effects of sky glow, light trespass, and/or glare.

Light trespass - An undesirable condition in which exterior light is cast where it is not wanted

Lumen - A unit measurement of a light bulb, arc tube or light emitting

diodes (LED) light output expressed as initial Lumens or lumen output.

Luminaire - A complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply. (Also referred to as fixture) The complete lighting unit, including the lamp, the fixture, and other parts

Mercury lamp - The mercury vapor lamp is a high intensity discharge lamp. It uses an arc through vaporized mercury in a high pressure tube to create very bright light directly from its own arc. Mercury lamps are not approved in the City of Palm Springs.

Metal-halide lamp - This type of lamp is also known as an 'MH' lamp. It is an HID lamp (High Intensity Discharge), which means it provides most of its light from the electric arc within a small discharge tube. It is becoming increasingly popular due to its good quality white light and good efficiency. The most prominent use of the MH lamp is in stadiums and sports fields. It is also used widely for parking lots and street lighting in urban areas.

Mounting Height - means the distance from the finished grade to the top of the lighting fixtures including any lighting fixture foundation.

Pedestrian scale - means a luminaire mounted at no more than ten feet above finished grade and intended to illuminate a walking path or small pedestrian area.

Recreational facilities - means public, municipal or private facilities designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Outdoor recreational facilities include, but are not limited to, fields or stadiums for softball, baseball, football, soccer, golf courses, driving ranges and other "field sports," and courts for tennis, basketball, volleyball, handball and other "court sports."

Sky Glow or Urban Sky Glow - Any adverse effect of manmade light that produces direct lighting into the sky from the lamp compartment that is not shielded.

Palm Springs Municipal Code

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ZONING CODEChapter 93.00 GENERAL CONDITIONS**93.21.00 Outdoor lighting standards.**

A. Intent and Purpose.

These regulations are intended to maintain ambient lighting levels as low as possible in order to enhance the city's community character and charm and maintain dark skies. Area lighting should provide good visibility, minimum glare and minimum spillage onto other properties or into the sky. It is the intent of this section to encourage, through the regulation of the types, kinds, construction, installation and uses of outdoor electrically powered illuminating devices, lighting practices and systems to conserve energy without decreasing safety, utility, security and productivity while enhancing nighttime enjoyment of property and night skies. These regulations are intended to be consistent with the requirements of the electrical code, as adopted by the city under Palm Springs Municipal Code Section 8.04.055, except where a different standard is provided based on the local climactic, geological or topographical conditions of the city of Palm Springs.

Exterior lighting shall be:

1. Architecturally integrated with the character of the associated structures, site design and landscape;
2. Directed downward and shielded, or specifically directed to walls, landscape elements or other similar features, so that light is confined within the boundaries of the subject parcel;
3. Installed so that lights do not blink, flash or be of unusually high intensity or brightness;
4. Appropriate in height, intensity and scale to the uses and the site they are serving;
5. Installed in conformance with the provisions of this section, the building code, the electrical code, and under appropriate permit and site inspection.

B. Exceptions.

The following outdoor lighting is not subject to the provisions of this section:

1. All outdoor light fixtures existing and legally installed prior to the effective date of this section except:
 - a. When fifty (50) percent or more of the existing luminaires are reconstructed or replaced, or
 - b. When a tenant or use change causes a change in the hours of operation or intensity of nighttime use;
2. Lights used for holiday decorations, when displayed during the period of display of the city's public holiday decorations;
3. Portable temporary lighting used by law enforcement or emergency services personnel to protect life or property;
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;
5. Street lights erected on public or private right-of-way. Street light design is to be in compliance with city standards; and

6. Lighting associated with a special event as described in Palm Springs Municipal Code Chapter 6.12.

C. Lighting Standards.

1. Parking Area Illumination Levels.

The minimum maintained illumination requirement is one-half (.5) footcandles in the general parking areas. "General parking areas" are defined as being eighty (80) percent of a parking lot excluding entrances or traffic lanes directly in front of store entrances for commercial zones. The maximum to minimum footcandle ratios shall not exceed 16:1, with a maximum of eight (8) footcandles and an average not to exceed three (3) footcandles, in general parking areas. Lighting plans should be designed so that higher traffic areas have sufficient lighting. Vertical lamps shall be utilized for lights on poles. Wall mounted lights may utilize horizontal lamps, provided they are fully shielded. Lenses shall not protrude below the lamp screening material, that is sag lenses are not permissible.

Subject to planning commission approval, the minimum maintained footcandle requirement may be reduced, so long as the minimum to maximum ration is maintained, to below one-half (.5) footcandles in parking areas which are provided with a significant level of ambient light; in parking areas that utilize a lighter colored parking surface such as concrete, and in parking areas located along a transition with sensitive land uses. Also subject to planning commission approval, the minimum maintained footcandle requirement may exceed one-half (.5) foot candles when necessary for security or other purposes.

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.

3. Spillover Lighting.

With the exception of light sources that do not exceed a height of three feet above finished grade, light sources must be a full cutoff so as to not direct light skyward, and shall be so arranged by means of filters or shields to avoid reflecting lighting onto adjoining properties or streets. Lighting fixtures that do not exceed a height of three (3) feet above finished grade shall be properly focused to minimize glare and spill light into the night sky and onto adjacent properties.

Direct lighting of the sky or of the hillside is prohibited except as provided pursuant to Chapter 5.64 of the Palm Springs Municipal Code (Searchlight Operations).

4. Height.

In nonresidential zoning districts, the height of parking lot lighting must be in scale with the building and structure heights on the site. If a building is within forty (40) feet of a property line, the lighting between the building and the property line shall be full cutoff shielded wall mounted units rather than free standing light poles. However, in order to allow creativity, the planning commission is authorized to allow freestanding lights in the forty (40) foot area.

Building mounted lights may be mounted no higher than eighteen (18) feet and must be a full cutoff. Lighting may not be mounted above the roofline.

In commercial and industrial zones, pole heights shall not exceed twelve (12) feet for portions of the parking areas which are located within twenty-five (25) feet of a property within a single-family residential zone.

Notwithstanding the above, the height of a free-standing light fixture shall not exceed eighteen (18) feet above finished grade. The planning commission has the authority to allow the erection of lighting fixtures in excess of eighteen (18) feet in order to provide compatibility with adjoining properties and streets. When such lighting is

located in parking areas located along a transition with sensitive land uses such as hotel or residential uses, the height may be limited to twelve (12) feet.

5. Decorative Lighting.

All decorative lighting utilized in nonresidential and multifamily developments is subject to approval pursuant to Section 94.04.00 (Architectural review). Such lighting is permitted to remain illuminated throughout the evening.

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.

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.

8. Tennis Court Lighting.

Provisions for tennis court lighting are found in Section 93.01.01, Tennis courts.
(Ord. 1839 §§ 1—5, 2014; Ord. 1838 §§ 1—5, 2014; Ord. 1590 § 22, 2000)

DIRECTOR WHEELER reported this project would move forward to the City Council for review.

3. PUBLIC HEARINGS:

- 3A. FAMILY DEVELOPMENT, LLC, FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT (PDD) IN LIEU OF CHANGE OF ZONE, A TENTATIVE PARCEL MAP (TPM #36767), AND A TENTATIVE TRACT MAP (TTM #36689), FOR A RESIDENTIAL GATED DEVELOPMENT OF 72 SINGLE FAMILY UNITS ON INDIVIDUAL LOTS AND 114 MULTI-FAMILY UNITS IN 19, 6-UNIT BUILDINGS ON FOUR LOTS. THE PROJECT IS LOCATED ON A ROUGHLY 24-ACRE PARCEL AT THE SOUTHEAST CORNER OF TAHQUITZ CANYON WAY AND FARRELL DRIVE. A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE GUIDELINES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, (CEQA) IS PROPOSED. (CASE 5.1046 PDD 232 AMND / TPM 36767 / TTM 36689). (KL)**

This Item was pulled from the Agenda.

- 3B. CITY OF PALM SPRINGS TO AMEND PALM SPRINGS ZONING CODE (PSZC) SECTION 93.21.00 RELATING TO OUTDOOR LIGHTING STANDARDS IN ITS ENTIRETY TO ADD INFORMATION AND ILLUSTRATIONS REGARDING THE MOST RECENT TECHNOLOGY (CASE 5.1344 ZTA). (MW)**

DIRECTOR WHEELER presented the proposed zone text amendment.

RALPH RAYA, representing MRC Engineering, said the new lighting ordinance meets the requirements for "night sky" and includes new technology.

VICE-CHAIR HUDSON opened the public hearing portion of the meeting and with no appearances coming forward the public hearing was closed.

COMMISSIONER KLATCHKO thanked Mr. Raya for his expertise and knowledge.

ACTION: Recommend approval to the City Council.

MOTION: Commissioner Calderine, seconded by Commissioner Roberts and unanimously carried on a roll call vote.



AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk and Vice Chair Hudson

DIRECTOR WHEELER reported this item will move forward to the City Council.



4. NEW BUSINESS:

4A. TERRA NOVA INC. ON BEHALF OF THE EAGLE CANYON DEVELOPMENT REQUEST FOR A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 317 TO CONSTRUCT 75 SINGLE-FAMILY RESIDENCES, 155 TOWNHOMES AND AN ACTIVITY CENTER ON APPROXIMATELY 80 ACRES OF VACANT LAND LOCATED ON THE WEST SIDE OF SOUTH PALM CANYON DRIVE AT BOBERT TRAIL, ZONE PD 317, SECTION 34 (CASE 5.1070-PD 317). (ER)

PRINCIPAL PLANNER ROBERTSON presented the proposed one-year time extension; noting there is new ownership.

COMMISSIONER KLATCHKO asked why this is being brought forward as the time extension as opposed to a brand new project.

DIRECTOR WHEELER answered Commissioner Klatchko's questions indicating developers' interest in retaining existing entitlements.

JOHN CRISTE, representing Terra Nova Consulting, said the market has changed and the intent is to modify the project and submit a 30% reduction in density, but that staff is correct in their interest in retaining the approval they have.

MAX VAHID, representing VA Consulting, Inc., spoke about their plans to submit a new map within 60 days.

COMMISSIONER KLATCHKO stated he was satisfied with the applicant moving forward.

ACTION: Approve a one-year time extension subject to revised conditions.

MOTION: Commissioner Klatchko, seconded by Commissioner Calerdine and carried 5-2-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Middleton, Commissioner Roberts and Vice Chair Hudson

NOES: Commissioner Lowe and Commissioner Weremiuk

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**

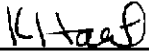


Date: September 3, 2014
Subject: Proposed Outdoor Lighting Standards Ordinance

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that the attached Public Hearing Notice was published as a 1/8 page notice in the Desert Sun on August 23, 2014.

I declare under penalty of perjury that the foregoing is true and correct.




Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that the attached Public Hearing Notice was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on August 21, 2014.

I declare under penalty of perjury that the foregoing is true and correct.



Kathie Hart, MMC
Chief Deputy City Clerk

AFFIDAVIT OF MAILING

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on August 21, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (6 notices)

I declare under penalty of perjury that the foregoing is true and correct.



Kathie Hart, MMC
Chief Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CASE 5.1344 ZTA
APPLICATION BY THE CITY OF PALM SPRINGS
FOR A ZONING TEXT AMENDMENT TO AMEND
PALM SPRINGS ZONING CODE (PSZC) 93.21.00
OUTDOOR LIGHTING STANDARDS

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of September 3, 2014. The City Council meeting begins at 6:00 p.m. in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider Case 5.1344 ZTA, an application by the City of Palm Springs, to amend Palm Springs Zoning Code (PSZC) 93.21.00, Outdoor Lighting Standards in its entirety to add information and illustrations regarding the most recent technology.

ENVIRONMENTAL DETERMINATION: The City of Palm Springs, in its capacity as the Lead Agency, under the California Environmental Quality Act (CEQA) has determined that the proposed zoning code text amendment is Categorical Exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the Guidelines for the California Environmental Quality Act since the proposed zone text amendment proposes only insignificant changes to the land use designations provisions.

REVIEW OF INFORMATION: The staff report and other supporting documents regarding this matter are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

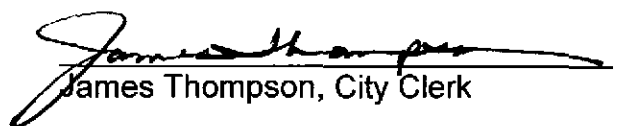
COMMENTS: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David Newell, Associate Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.


James Thompson, City Clerk