

## CHAPTER 14

### OUTDOOR LIGHTING REGULATION

14.01 Authority and Purpose. This regulation is established pursuant to Article III, Sections 1 and 2 [Paragraphs 46, 47, 48, 49 and 50 respectively] of the Protective Covenant to minimize outdoor lighting nuisances to private properties and public spaces, and to maintain the "dark sky" standard of the community. The "dark sky" standard includes the maintenance of a predominant rural darkness characterized by limited and controlled emissions of light that distinctly differ from more intrusive suburban lighting patterns.

#### 14.02 Definitions.

14.0201 Light Source. "Light Source" shall mean the central mechanism(s) that produce and/or refract light, including but not limited to, mirrors, light-directing refractors, filaments of incandescent bulbs, and the entire light-emitting surface of bulbs which produce light by the charging of gasses.

14.0202 Uplighting. "Uplighting" shall mean Exterior Lighting that is directed at or above the horizontal plane of the Light Source.

14.0203 Downlighting. "Downlighting" shall mean Exterior Lighting that is directed below the horizontal plane of the Light Source.

14.0204 Exterior Lighting. "Exterior Lighting" shall mean and include, but is not limited to, permanent or portable search, spot or flood, decorative, security, or other lighting for the outside of buildings or structures, outside recreational area lighting and all types of outside area and landscape lighting.

14.0205 Automated Teller Machine (ATM). "Automated Teller Machine" shall mean any electronic information processing device which accepts or dispenses cash in connection with a credit, deposit, or convenience account. The term does not include devices used solely to facilitate check guarantees or check authorizations, or which are used in connection with the acceptance or dispensing of cash on a person-to-person basis, such as by a store cashier.

14.0206 Low-Wattage Systems. "Low-Wattage Systems" shall mean Exterior Lighting whose aggregate total wattage in any single fixture does not exceed 30 watts..

14.03 Scope. No Exterior Lighting that is appurtenant to the construction or alteration of any building or structure shall be permitted without first obtaining the Art Jury's approval, in accordance with Code §14.07 below. All other Exterior Lighting, that complies with the other provisions of this regulation, is presumed to constitute "minor construction" under Article III, Section 2 [Paragraphs

48 and 49] of the Protective Covenant, and therefore may be installed without Art Jury review or approval. However, the Art Jury retains jurisdiction, upon receiving complaints or otherwise, to review and inspect Exterior Lighting that is presumptively "minor construction" prior to or after installation, and to determine whether such Exterior Lighting is "major construction" subject to Art Jury review and approval. All Exterior Lighting, whether considered "major construction" or "minor construction", is subject to the provisions in Articles 04, 05 & 06 of this regulation.

#### 14.04 General Requirements Applicable to All Properties.

14.0401 Uplighting Prohibited. Except as otherwise provided herein, Uplighting for any purpose is prohibited.

14.0402 Searchlights Prohibited. The operation of outdoor searchlights for any purpose is prohibited.

14.0403 Recreational Lighting Prohibited. Exterior Lighting for public and private recreational facilities is prohibited. The types of lighting prohibited by this provision include, but are not limited to, the lighting of tennis courts, playing fields, horse keeping or riding facilities and other recreational areas.

14.0404 Downlighting Regulated. Exterior Lighting which is not otherwise prohibited by this regulation shall be permitted as long as it otherwise complies with this regulation. All Exterior Lighting shall be Downlighting and shall be shielded in such a manner that the edge of the shield is below the Light Source. Exterior Lighting not meeting this criteria, including lighting installed on swivels and pivots that allow the fixture to be directed above the horizontal, is prohibited.

14.0404.01 General Exception. Exceptions to the criteria in §14.0404 may be granted where the Art Jury finds that the conditions of the site, its size, the location of structures on the site, or other factors would allow an exception to fulfill the general purpose of this regulation and to achieve a high artistic result.

14.0404.02 Low Wattage Exception. As Minor Construction, Low-Wattage Systems consisting of twelve or fewer light fixtures per site are exempted from the restrictions in Code §§14.0401, 14.0404 and 14.0502 and may be exempted, with Art Jury approval, from §14.0501. Where lighting plans are approved by the Art Jury in accordance with §§14.0701 or 14.0702, the placement, addition, or modification of Low Wattage Systems shall be subject to the continuing jurisdiction of the Association as provided in §14.0704.

14.0405 Minimization of Light Intensity. No light or glare shall be transmitted or reflected in such concentrated quantities or intensities as, in the opinion of the Art Jury either at the time of plan review or subsequently in actual operation, to be detrimental or harmful to or to interfere with the use of other properties or streets, public spaces, or otherwise degrade the "dark sky" character of the community.

14.0406 Pre-Existing Exterior Lighting. Pursuant to Code §1.17, earlier versions of this and other regulations shall regulate all Exterior Lighting installed prior to the effective date of this regulation. Notwithstanding anything in this paragraph to the contrary, this regulation does apply to any proposed or actual modifications or alterations to, or increases in lighting intensity of, Exterior Lighting installed before the effective date of this regulation.

14.0407 Sign Lighting. This regulation does not apply to the lighting of signs which must be separately approved by the Board of Directors pursuant to Article II, Section 1 [Paragraph 19] of the Protective Covenant.

14.05 Residential Lighting.

14.0501 Light Directed Onto Lot. Exterior Lighting on Class A, B, C and L properties shall be so designed and adjusted such that Light Sources and light-directing refractors shall not be visible from any public road, public space or street or from any other property. Low Wattage Systems may be exempted from this provision, if part of an approved lighting plan as described in §14.07.

14.0502 Maximum Wattage for Exterior Lighting. Except as provided in Code §14.0404.02 (Low Wattage Exception) and 14.0503 (Acreage Exception to Wattage Limitation), no building site or combination of contiguous building sites subject to a single ownership, which is used for residential purposes, nor any site in the use class "L", shall exceed a maximum total of 2,500 watts incandescent or its equivalent of lighting from Exterior Lighting. This wattage allocation is a discretionary allowance which may be reduced, dependent upon site-specific conditions contained on each individual property, as determined by the Art Jury.

14.0503 Acreage Exception to Wattage Limitation. On sites larger than 2.0 acres in size, wattage in excess of 2,500 watts incandescent or its equivalent may be allowed at the proportional rate of up to 500 watts for each additional acre. The approval of this additional wattage allocation will be dependent upon the Art Jury's discretionary judgment as to the site's ability to accommodate additional lighting without degrading the "dark sky" standard of the community and surrounding neighborhood.

14.0504 Incandescent Equivalent Established. For the purpose of this regulation, the following equivalencies for non-incandescent sources are adopted, where the wattage rating of the source type listed will be multiplied by the listed equivalency factor to calculate equivalent incandescent wattage.

SOURCE TYPE	EQUIVALENCY FACTOR
Incandescent	1.00

Fluorescent	4.28
Sodium Pressure	5.77

#### 14.06 Commercial Lighting.

14.0601 Limitations. Lighting of commercial structures and signs within Rancho Santa Fe shall be limited to that necessary for security and identification and shall be subject to Board of Directors approval. The maximum wattage of an individual fixture shall be 150 watts incandescent or equivalent thereto as established in §14.0504.

14.0602 ATM's. The provisions of §14.0601 above notwithstanding, Automatic Teller Machine (ATM) lighting shall be permitted pursuant to California Financial Code §13000 et. seq. (and any successor statute) on the following conditions:

14.0602.01 The submittal and subsequent approval by the Association of a lighting plan, prepared by a lighting engineer, which is certified as representing the minimum level of illumination to comply with Financial Code §13000 et. seq.; and,

14.0602.02 Cut-offs or source screening which specifically limits the State required ten candlefoot-power illuminated area to no more than 5 feet from the face of the ATM.

#### 14.07 Art Jury Approval of Lighting Plans.

14.0701 Lighting Plans. All building plans for any type of structure (including remodel or additions) submitted to the Association for approval shall include an Exterior Lighting plan which depicts all existing and proposed Exterior Lighting and all existing and proposed Low-Wattage Systems on the site. Such plans must be in conformance with this regulation.

14.0702 Independent Lighting Plans. Lighting plans may be submitted, independent of any other site improvement or construction plans, for the purpose of establishing permitted lighting installations or as a voluntary remedy for complaints regarding "minor constructions".

14.0703 Requirements. All Exterior Lighting plans shall include wattage, height of each light fixture above ground, and a complete description, including descriptive material of each light fixture, its Light Source type and location on the property of all existing and proposed Exterior Lighting.

14.0704 Continuing Jurisdiction. Lighting plans which are submitted and approved under this regulation shall be subject to the continuing jurisdiction of the Association. Additions or

alterations to the installations depicted on approved lighting plans, if found significant or contrary to the original approval, will be subject to removal or correction by the Association.

14.08 Effective Date. The effective date of this regulation is January 6, 1994.

14.09 Amended Date. This regulation was amended at §§14.0206, 14.0404.02, 14.0501, and 14.0702 on May 2, 1996. This regulation was amended at §14.0204 on January 15, 1998.