

## ***SPECIFIC ZONE DISTRICT REGULATIONS***

### **PROHIBITED LIGHT SOURCE TYPES**

Metal halide, mercury vapor, and quartz light source types are prohibited in and within 25 feet of all residential zone districts (E, R-1, R-2, and R-3)

### **FIXTURE HEIGHT**

The maximum fixture height shall be measured from the finished interior grad of the mounting area to the top point of the lighting fixture. The maximum heights are:

|                       | Residential Zones and any light fixture installed within 25 feet of an existing single-family residence | Non-Residential zone |
|-----------------------|---------------------------------------------------------------------------------------------------------|----------------------|
| Freestanding Lighting | 20 feet tall                                                                                            | 30 feet tall         |
| Attached Lighting     | Shall not exceed height of structure                                                                    |                      |

### **UPLIGHTING AND AIMED LIGHTING**

Direct upward lighting and lighting aimed at structures is prohibited except as follows:

- Accent lighting of architectural features: provided that no glare or off-site light spillover is produced. Lamps for this type of accent lighting must be low intensity and utilize less than 100 watts and emit less than 1,600 lumens
- Accent lighting of other features, such as statues, public art, or other objects of interest that cannot be illuminated with down lighting, may use narrow-cone spotlights that use less than 100 watts and emit less than 1,600 lumens. A narrow-cone spotlight image is located in Section 19.81.040 F.1.
- All other lighting aimed against structures can be aimed against structures if (1) the light is contained by the structure, (2) no glare is visible off site and (3) the fixture is fully shielded so none of the light emitted above the horizontal plan crosses over the property line.

- Low voltage landscape light (such as lighting used to illuminate fountains, shrubbery, trees, and walkways etc.) shall be permitted provided that the lighting is not mounted on a pole or building, it is shielded to eliminate glare and light spillover and each fixture uses only a maximum of 60 watts or emits a maximum of 750 lumens (whichever is less).

### **OUTDOOR PERFORMANCE, SPORT, AND RECREATION FACILITIES**

- Playing fields or other special activity areas illuminated by floodlights should be mounted and shielded so their beams fall within the primary play area and its immediate surroundings. It should avoid spillover onto residentially zoned property.
- Recreational facilities should be illuminated only during use of the facility (except for security lighting authorized by Section 19.81.040. J). Non-security lights should be turned off by 11 PM or 30 minutes after the event (whichever time is last).

### ***ARE THERE EXEMPTIONS?***

A complete list of lighting fixtures, land uses, and events that are exempt from the "Dark Skies Ordinance" is located in Section 19.81.050 of the Zoning Ordinance.

### ***HOW DO I NOTIFY THE COUNTY OF VIOLATIONS OR COMPLAINTS?***

All outdoor fixtures installed after 12/08/2011 must conform to the requirements of this section. Written complaints of noncompliance should be filed with the Kern County Engineering, Surveying, and Permit Services Department/ Code Compliance Division.

### ***ARE THERE ANY EXCEPTIONS?***

To submit a lighting fixture that is not permitted by this chapter, please review Section 19.90.080 of the Zoning Ordinance for the process of applying for an exception.

## **"DARK SKIES ORDINANCE"** **AN INFORMATIONAL GUIDE**



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## **PURPOSE OF THE OUTDOOR LIGHTING “DARK SKIES ORDINANCE” AND DEFINITIONS**

Section 19.81 of the Kern County Zoning Ordinance is intended to reduce unnecessary night lighting and to minimize lighting impacts on surrounding properties to help protect Kern County’s rural characteristic of access to a natural dark sky environment and to avoid public nuisances.

Please refer to Section 19.81.020 for a complete list of definitions relevant to the Outdoor Lighting “Dark Skies Ordinance”.

### **HOW DOES THE ORDINANCE APPLY TO MY PROPERTY?**

The Outdoor Lighting “Dark Skies Ordinance” is applied to all new outdoor lighting and certain existing outdoor lighting within specified unincorporated areas of Kern County.

Existing outdoor lighting, installed before 12/08/2011, is addressed as legal, nonconforming, and is exempt from the requirements of this chapter. When the existing legal, nonconforming light fixture is replaced, the replacement shall comply with the chapter. (This does not apply to a bulb/lamp replacement or routine fixture maintenance).

Additions or alterations of 50% or more on any property (in terms of dwelling units, gross floor area, total seating capacity, parking spaces, etc.) require that all existing nonconforming lighting fixtures on the entire property, be made to comply with the requirements of the chapter as well as any new outdoor lighting fixtures.

### **GENERAL REQUIREMENTS**

#### **SHIELDING**

- All lighting fixtures (utilizing 100+ watts and emitting 1,600+ lumens per fixture) must be fully shielded per the definition listed in the chapter.
- Floodlights which use less than 100 watts must be at least partially shielded to reduce light spillover onto nearby properties.

- The light bulb within the lighting fixture should be pointed downward.
- Section 19.81.040 A and E provide graphics illustrating the intent of shielding as well as what “fully shielded” light fixtures look like in comparison to “Not fully shielded” light fixtures.

#### **MAINTENANCE**

Outdoor light fixtures must be kept in good order and maintained to serve the original design intent of the lighting system and ensure compliance with this chapter.

#### **NEW OFF-SITE AND ON-SITE OUTDOOR ADVERTISING SIGNS**

- New off-site outdoor advertising signs (with externally mounted light fixtures utilizing 100+ watts and emitting 1,600+ lumens per fixture) must:
  1. Mount the fixtures on the top of the advertising structure
  2. Orient the fixtures downward
  3. Fully shield the lighting fixtures
- Any externally mounted light bulb or lighting tubes (not filled with neon, argon, or krypton) shall not be visible from the adjacent public right-of-way or adjoining property.
- Internally illuminated signs are exempt from this chapter and are regulated by Section 19.84 (Signs) of the Kern County Zoning Ordinance.

#### **HOURS OF OPERATION (CURFEW)**

Outdoor lighting fixture located in or within 25 ft. of a residential (E, R-1, R-2, and R-3) zone district:

- Will not be subject to curfew if the light fixture uses less than 100 watts, emits under 1,600 lumens, and does not project light above the horizontal plane
- Security lighting fixtures that utilize 100+ watts or emit 1,600+ watts will be controlled by a motion-sensor device, if used after 11 PM. The motion-sensor device should be programmed to illuminate the fixture for no more than 10 minutes

activation. The fixture shall conform to all other provisions of the “Dark Skies Ordinance”.

- All non-exempt outdoor lighting fixtures should be turned off between 11PM and sunrise.

Outdoor lighting fixtures located outside of a residential zone district (E, R-1, R-2, and R-3) or located more than 25 feet from any existing single family residence within any other zone district:

1. Must comply with shielding provisions listed in Section 19.81.040 of this chapter and
2. Will not be subject to an illumination curfew

#### **OUTDOOR LIGHTING PLANS**

An Outdoor Lighting Plan needs to be submitted along with any application for a building permit within a commercial/industrial zone district (CO, CH, C-1, C-2, M-1, M-2, and M-3) where new outdoor lighting fixtures, not exempted in Section 19.81.050, will be installed as part of the project for which the building permit is required. An outdoor plan should include:

1. Manufacturer specification sheets, cut sheets, or other manufacturer provided information for all proposed outdoor lighting fixtures to show fixture diagrams, light source types, and light output levels (in watts or lumens)
2. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures. (a site plan is preferable)
3. If building elevations are proposed for illumination, the plan should include elevation drawings for all relevant buildings showing the placement of the fixtures, the portion of the elevations to be illuminated, and the aiming point for any remote light fixture.
4. The Outdoor Lighting plan must be linked to any required landscaping plan that is submitted with the building permit application package and should show that existing or future foliage growth will not unreasonable obscure or block the outdoor lighting.

Additional information (such as a written narrative or manufacturer data) may be requested if determined necessary by the Department.