

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH
ADDING CHAPTER 8.72 (OUTDOOR LIGHTING
STANDARDS) TO TITLE 8 OF THE HERMOSA BEACH
MUNICIPAL CODE; AMENDING CHAPTER 1.10
(ADMINISTRATIVE CITATIONS AND PENALTIES); AND
FINDING THE ACTION EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The City Council of the City of Hermosa Beach does ordain as follows:

Section 1. Title 8 of the Hermosa Beach Municipal Code is hereby amended to add Chapter 8.72 to read as follows:

Chapter 8.72

OUTDOOR LIGHTING STANDARDS

Sections:

8.72.010 General Requirements.

8.72.020 Exemptions.

8.72.030 Violations.

8.72.010 General Requirements.

- A. Excessive light and glare shall be limited by the use of appropriate light fixtures and lighting methods which avoid unwanted illumination of adjacent property. Illumination is considered excessive if it prevents normal perception of objects beyond or in the vicinity of the light.
- B. Outdoor light fixtures on residential properties shall be designed, installed and maintained so as to emit light only onto the property on which the light source is located consistent with the following standards:
 - 1. Light fixtures shall be equipped with prismatic diffusing lenses or other suitable shielding to ensure that the light source (or light bulb) is not directly visible from the public right-of-way or from any abutting property.
 - 2. Light fixtures shall be high-efficiency, fully shielded, down cast (emitting no light above the horizontal plane of the fixture), and installed so as ensure light does not spill beyond the property line of the property on which the light source is located.

3. Flashing, blinking, or otherwise moving lights are prohibited, except for temporary holiday lights.
- C. Except for lighting operated by the City or permitted by another provision of this Code, mercury vapor lights, search lights, laser lights, or any light fixture with a high intensity discharge lamp or bulb, including flood lights and spot lights, shall not be used on commercial or residential structures in a manner that illuminates the Strand or the beach.

8.72.020 Exemptions.

The following outdoor lights shall be exempt from the provisions of section 8.72.010:

- A. Temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure, or temporary lighting required by emergency services personnel or law enforcement.
- B. Lighting used on any publicly owned building or infrastructure.

8.72.030 Violations.

Violations of this chapter may be punished by administrative penalties according to the provisions of Chapter 1.10.

Section 2. Section 1.10.040, subsection (A) of Title 1, Chapter 1.10 of the Hermosa Beach Municipal Code (“Code violations subject to administrative penalty procedures”) is hereby amended to add a new paragraph 22 to read as follows:

22. Chapter 8.72, Outdoor Lighting Standards.

Section 3. Severability. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Hermosa Beach hereby declares that it would have adopted this ordinance despite any partial invalidity.

Section 4. Environmental Review. The City Council finds that adoption of the foregoing regulations on outdoor lighting is exempt from the California Environmental Quality Act (“CEQA”). This ordinance prohibits property owners from using flood lights or other bright outdoor lighting that interfere with the community’s enjoyment of the beach and the night sky. The measure protects against light pollution, and it is designed to reduce the adverse impacts of excessive light and glare from artificial sources. As such, there is no possibility that its adoption would adversely affect the environment in any manner that could be significant under CEQA. 14 Cal. Code Regs. § 15061(b)(3). The measure also qualifies for the Class 8 exemption for agency actions taken to assure the maintenance, restoration, enhancement, or protection of the

environment. 14 Cal. Code Regs. § 15308. By regulating residents' use of outdoor lighting, the ordinance assures the protection of the City's night sky and evening beach environment.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937.

Section 6. Nonconforming Lighting. Outdoor lighting generated from any property which does not conform to the provisions of this chapter shall be removed, rendered permanently inoperable or otherwise brought into compliance with this chapter not later than ninety (90) days after the effective date of this Ordinance.

Section 7. Certification. 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 or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2021.

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

MAYOR of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney