

**SECOND READING AND ADOPTION**

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE TO  
INCREASE OUTDOOR LIGHTING EFFICIENCY FOR SPECIFIC  
COMMERCIAL OUTDOOR LIGHTING APPLICATIONS

WHEREAS, the California Building Standards Code (“CBSC”) (Title 24 of the California Code of Regulations) contains the state’s energy and water efficiency requirements for newly-constructed buildings, as well as for additions and alterations to existing buildings; and

WHEREAS, the CBSC is published every three years by the California Building Standards Commission, and was most recently published in 2016 (“2016 Edition”); and

WHEREAS, the City adopted the 2016 Edition, which is codified in Chula Vista Municipal Code Chapter 15.26; and

WHEREAS, pursuant to Title 24, local jurisdictions may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, as presented in a City-wide 2012 greenhouse gas inventory, Chula Vista's greenhouse gas emissions have increased since 1990 due largely to new residential growth; and

WHEREAS, as a result, the City Council directed staff to convene a Climate Change Working Group (CCWG) to develop recommendations to reduce the community’s greenhouse gas emissions; and

WHEREAS, the CCWG’s recommended climate protection measures included facilitating more energy efficiency upgrades, and were adopted as part of the City’s 2017 Climate Action Plan, which directed staff to implement the measures based on funding levels; and

WHEREAS, in alignment with the 2017 Climate Action Plan, staff recommends adopting local building energy standards for non-residential outdoor lighting that generally reduce the maximum outdoor lighting power allowances by 32-81%, based on the use; and

WHEREAS, adopting such standards requires amending Code Chapter 15. 26; and

WHEREAS, pursuant to the California Administrative Code, Title 24, Part I, Section 10-106, Locally Adopted Energy Standards, and the CEC' s submittal and approval process, the City finds that the requirements below will save energy and are cost-effective within the City; and

WHEREAS, the City Council finds that the modifications to the CBSC, as detailed in this Ordinance, are reasonably necessary due to local climatic conditions; and

WHEREAS, the City Council further finds that, as a result of high summer ambient temperatures and periods of heat waves, average load demand and peak load demand of energy used in the City is an important factor concerning public safety and adverse economic impacts of power outages or power reductions; and

WHEREAS, the City Council further finds that the reduction of total and peak energy use, as a result of incremental energy conservation measures required by this Ordinance, will have local and regional benefits in the cost-effective reduction of energy costs for the building owner, additional available system energy capacity, and a reduction in greenhouse gas emissions; and

WHEREAS, the City affirms that the requirements below will require buildings to be designed to consume no more energy than permitted by Title 24 Part 6; and

WHEREAS, this Ordinance is intended to preserve and enhance the environment of the City and is not subject to the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, because there is no possibility that the ordinance may have a significant negative impact on the environment, and is exempt from the requirements of CEQA pursuant to Section 15308 of the CEQA Guidelines, which exempts actions taken by regulatory agencies for the enhancement and protection of the environment; and

WHEREAS, staff shall work with the City Council, consultant and appropriate agencies in advance to implement future local amendments so that they are in place no later than the effective date of the State's new standards whenever possible.

NOW THEREFORE the City Council of the City of Chula Vista does ordain as follows:

### **Section I. Findings**

Each of the above recitals is true and correct and each of the findings and determinations stated above is hereby adopted by the City Council.

### **Section II. Amendments to Chapter 15.26**

Chapter 15.26 of the Chula Vista Municipal Code is hereby amended by addition of the sections 15.26.030, as follows:

#### **15.26.030 Reduced Power Allowances for Specific Outdoor Lighting Applications**

##### **A. Purpose and Intent**

It is the purpose and intent of this section to provide standards for builders and developers of newly constructed and existing commercial buildings to exceed the

minimum requirements of the 2016 California Building Energy Efficiency Standards for Residential and Non-Residential Buildings (California Code of Regulations, Title 24, Part 6) (“2016 Energy Efficiency Standards”) by requiring the installation of more energy-efficient outdoor lighting for specific applications, in an effort to reduce greenhouse gas emissions from energy usage.

**B. Requirements**

Table 140.7-B of the 2016 Building Energy Efficiency Standards is amended by modifying the following rows below the header to read as follows. The remainder of Table 140.7-B is unchanged.

*Table 140.7-B: Additional Lighting Power Allowances for Specific Applications*

Lighting Application	Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3	Lighting Zone 4
<b>WATTAGE ALLOWANCE PER APPLICATION. Use all that apply as appropriate.</b>					
<b>Building Entrances or Exits.</b> Allowance per door. Luminaires qualifying for this allowance shall be within 20 feet of the door.	Not applicable	45 9 watts	25 15 watts	35 19 watts	45 21 watts
<b>Primary Entrances to Senior Care Facilities, Police Stations, Hospitals, Fire Stations, and Emergency Vehicle Facilities.</b> Allowance per primary entrance(s) only. Primary entrances shall provide access for the general public and shall not be used exclusively for staff or service personnel. This allowance shall be in addition to the building entrance or exit allowance above. Luminaires qualifying for this allowance shall be within 100 feet of the primary entrance.	Not applicable	45 20 watts	80 40 watts	120 57 watts	130 60 watts
<b>Drive Up Windows.</b> Allowance per customer service location. Luminaires qualifying for this allowance shall be within 2 mounting heights of the sill of the window.	Not applicable	40 16 watts	75 30 watts	125 50 watts	200 75 watts
<b>Vehicle Service Station Uncovered Fuel Dispenser.</b> Allowance per fueling dispenser. Luminaires qualifying for this allowance shall be within 2 mounting heights of the dispenser.	Not applicable	120 watts	175 watts	185 watts	330 watts
<b>ATM Machine Lighting.</b> Allowance per ATM machine. Luminaires qualifying for this allowance shall be within 50 feet of the dispenser.	Not applicable	250 watts for first ATM machine, 70 watts for each additional ATM machine.			
<b>WATTAGE ALLOWANCE PER UNIT LENGTH (w/linear ft). May be used for one or two frontage side(s) per site.</b>					
<b>Outdoor Sales Frontage.</b> Allowance for frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. Luminaires qualifying for this allowance shall be located between the principal viewing location and the	Not applicable	No Allowance	22.5 11 W/linear ft	36 19 W/linear ft	45 25 W/linear ft

# Ordinance

## Page 4

frontage outdoor sales area.					
<b>WATTAGE ALLOWANCE PER HARDSCAPE AREA (W/ft<sup>2</sup>). May be used for any illuminated hardscape area on the site.</b>					
<b>Hardscape Ornamental Lighting.</b> Allowance for the total site illuminated hardscape area. Luminaires qualifying for this allowance shall be rated for 100 watts or less as determined in accordance with Section 130.0(d), and shall be post-top luminaires, lanterns, pendant luminaires, or chandeliers.	Not applicable	No Allowance	0.02 W/ft <sup>2</sup>	0.04 W/ft <sup>2</sup>	0.06 W/ft <sup>2</sup>
<b>WATTAGE ALLOWANCE PER SPECIFIC AREA (W/ft<sup>2</sup>). Use as appropriate provided that none of the following specific applications shall be used for the same area.</b>					
<b>Building Facades.</b> Only areas of building façade that are illuminated shall qualify for this allowance. Luminaires qualifying for this allowance shall be aimed at the façade and shall be capable of illuminating it without obstruction or interference by permanent building features or other objects.	Not applicable	No Allowance	0.18 0.100 W/ft <sup>2</sup>	0.35 0.170 W/ft <sup>2</sup>	0.50 0.225 W/ft <sup>2</sup>
<b>Outdoor Sales Lots.</b> Allowance for uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale. Driveways, parking lots or other non sales areas shall be considered hardscape areas even if these areas are completely surrounded by sales lot on all sides. Luminaires qualifying for this allowance shall be within 5 mounting heights of the sales lot area.	Not applicable	0.164 0.06 W/ft <sup>2</sup>	0.555 0.21 W/ft <sup>2</sup>	0.758-0.28 W/ft <sup>2</sup>	1.285 0.485 W/ft <sup>2</sup>
<b>Vehicle Service Station Hardscape.</b> Allowance for the total illuminated hardscape area less area of buildings, under canopies, off property, or obstructed by signs or structures. Luminaires qualifying for this allowance shall be illuminating the hardscape area and shall not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	Not applicable	0.014 0.006 W/ft <sup>2</sup>	0.155 0.068 W/ft <sup>2</sup>	0.308 0.138 W/ft <sup>2</sup>	0.485 0.200 W/ft <sup>2</sup>
<b>Vehicle Service Station Canopies.</b> Allowance for the total area within the drip line of the canopy. Luminaires qualifying for this allowance shall be located under the canopy.	Not applicable	0.514 0.220 W/ft <sup>2</sup>	1.005 0.430 W/ft <sup>2</sup>	1.300 0.580 W/ft <sup>2</sup>	2.200 1.010 W/ft <sup>2</sup>
<b>Sales Canopies.</b> Allowance for the total area within the drip line of the canopy. Luminaires qualifying for this allowance shall be located under the canopy.	Not applicable	No Allowance	0.655 W/ft <sup>2</sup>	0.908 W/ft <sup>2</sup>	1.135 W/ft <sup>2</sup>
<b>Non-sales Canopies and Tunnels.</b> Allowance for the total area within the drip line of the canopy or inside the tunnel. Luminaires qualifying for this allowance shall be located under the canopy or tunnel.	Not applicable	0.084 0.057 W/ft <sup>2</sup>	0.205 0.137 W/ft <sup>2</sup>	0.408 0.27 W/ft <sup>2</sup>	0.585 0.37 W/ft <sup>2</sup>

<p><b>Guard Stations.</b> Allowance up to 1,000 square feet per vehicle lane. Guard stations provide access to secure areas controlled by security personnel who stop and may inspect vehicles and vehicle occupants, including identification, documentation, vehicle license plates, and vehicle contents. Qualifying luminaires shall be within 2 mounting heights of a vehicle lane or the guardhouse.</p>	<p>Not applicable</p>	<p>0.154 W/ft<sup>2</sup></p>	<p>0.355 W/ft<sup>2</sup></p>	<p>0.708 W/ft<sup>2</sup></p>	<p>0.985 W/ft<sup>2</sup></p>
<p><b>Student Pick-up/Drop-off zone.</b> Allowance for the area of the student pick-up/drop-off zone, with or without canopy, for preschool through 12th grade school campuses. A student pick-up/drop off zone is a curbside, controlled traffic area on a school campus where students are picked-up and dropped off from vehicles. The allowed area shall be the smaller of the actual width or 25 feet, times the smaller of the actual length or 250 feet. Qualifying luminaires shall be within 2 mounting heights of the student pick-up/drop-off zone.</p>	<p>Not applicable</p>	<p>No Allowance</p>	<p>0.12 W/ft<sup>2</sup></p>	<p>0.45 W/ft<sup>2</sup></p>	<p>No Allowance</p>
<p><b>Outdoor Dining.</b> Allowance for the total illuminated hardscape of outdoor dining. Outdoor dining areas are hardscape areas used to serve and consume food and beverages. Qualifying luminaires shall be within 2 mounting heights of the hardscape area of outdoor dining.</p>	<p>Not applicable</p>	<p>0.014 0.004 W/ft<sup>2</sup></p>	<p>0.135 0.030 W/ft<sup>2</sup></p>	<p>0.240 0.050 W/ft<sup>2</sup></p>	<p>0.400 0.075 W/ft<sup>2</sup></p>
<p><b>Special Security Lighting for Retail Parking and Pedestrian Hardscape.</b> This additional allowance is for illuminated retail parking and pedestrian hardscape identified as having special security needs. This allowance shall be in addition to the building entrance or exit allowance.</p>	<p>Not applicable</p>	<p>0.007 W/ft<sup>2</sup></p>	<p>0.009 W/ft<sup>2</sup></p>	<p>0.019 W/ft<sup>2</sup></p>	<p>No Allowance</p>

**C. Exemptions**

The Building Official may exempt a covered building from the provisions of this section if the Official determines there are sufficient practical challenges to make satisfaction of the requirements infeasible. The applicant is responsible for demonstrating requirement infeasibility when applying for an exemption. Applications for exemptions shall be made, in writing, to the Building Official. The Building Official’s determination can be appealed per Chula Vista Municipal Code (CVMC) 15.06.070 and California Building Code Section 1.8.8.

**Section III. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

**Section IV. Construction**

Ordinance

Page 6

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section V. Effective Date**

This ordinance shall take effect on the 30th day following approval by the California Energy Commission.

**Section VI. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

\_\_\_\_\_  
Eric Crockett  
Director of Economic Development

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Glen R. Googins  
City Attorney