



AGENDA REPORT SUMMARY

Meeting Date: October 24, 2023

Subject: Dark Skies Discussion

Prepared by: Nick Zornes, Development Services Director

Approved by: Gabriel Engeland, City Manager

Initiated by:

City Councilmembers, Fligor, Lee Eng, Weinberg on 2/21/2023

Previous Council Consideration:

Not applicable.

Fiscal Impact:

No fiscal impact is associated with the preparation of this report and presentation, except for Staff time.

Future fiscal impacts could be incurred with any technical analysis necessary for ordinance development. Additionally, depending on final ordinance the City may require specialized Plan Check (Permit Review) and Inspection assistance which would result in direct increased costs to property owners.

Environmental Review:

Not applicable.

Policy Question(s) for Council Consideration:

- Does the City Council wish to proceed with the development of a local Dark Skies Ordinance? If so:
 - Which Main Principles Should be Included?
 - What Applicability Should be Required?

Summary:

- Dark Skies is a regulatory tool which restricts or limits outdoor light as defined by Local Ordinance. Commonly called Dark Skies, Light Trespass, Light Pollution, and Foot Candle Rule.
- Dark Skies utilize smart and efficient lighting in warmer color tones and with shields preventing skyward flow and can help restore the sights that we cannot enjoy from light-polluted skies.



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Purpose

In general, a Dark Skies Ordinance can:

- Protect and reclaim ability to view the night sky and stars.
- Greater tranquility and maintenance of the rural ambiance.
- Minimize light pollution by protecting against direct glare and excessive lighting.
- Provide standards for efficient and moderate use of outdoor lighting.
- Promote safe, energy-efficient, and cost-effective outdoor lighting.

Background

Warren-Alquist State Energy Resources Conservation and Development Act. Requires the State Energy Resources Conservation and Development Commission to adopt, lighting and other building design and construction standards that increase efficiency in the use of energy for buildings to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy, including energy associated with the use of water, and to manage energy loads to help maintain electrical grid reliability.

Existing law also requires the commission to adopt standards for minimum levels of operating efficiency and other cost-effective measures to promote the use of certain energy- and water-efficient appliances.

Existing Regulations do not control or limit the amount of light that is produced by a property, rather it only regulates the efficiency of the light that is produced. In theory, this means that a property can install bigger and brighter lighting fixtures if they are energy efficient.

Recent Legislation

AB-2382 Light Pollution Control

Vetoed 9/23/2022, Lack of Fiscal Analysis

Regulate State Agency/State Land Light Pollution for new and retrofits

AB-38 Light Pollution Control

In Committee: Held Under Submission 9/1/2023

AB 38 would only apply to newly installed, or lights being replaced and exempts lighting necessary for worker health and safety or public health and safety including lighting used by law enforcement officers, firefighters, medical personnel, or correctional personnel.



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Other Jurisdictions

In the last several years jurisdictions around California have adopted local Dark Skies regulations or similar limitations on light pollution. The following are jurisdictions have adopted local Dark Skies regulations:

- City of Alameda
- City of Cupertino
- City of Malibu
- Ojai Municipal Advisory Council (MAC) – Ventura County
- San Diego County
- Mono County
- Kern County
- San Bernardino County

It is important to note that unless the majority of Bay Area, and Northern California jurisdictions adopt Dark Skies regulations the City of Los Altos is unlikely to see any notable change in night sky visibility as light pollution effects regional night sky visibility.

Analysis

In general, a Dark Skies Ordinance would include some sort of regulatory framework for the control or limitation of Light Pollution, and Light Trespass throughout the city. The following information is methods in which Dark Skies have been implemented in other jurisdictions.

Light Only What You Need

- Lighting only what you need is an approach various jurisdictions have taken by limiting the number of outdoor accessory lighting installations, some of which have included the limit on landscaping lighting or building facade lighting.

Shield Light Fixture Down

- Requiring that all exterior lighting fixtures are shielded downward to prevent or limit the amount of illumination of areas that are not necessary to be well-lit during evening hours.

Automatic Timer & Motion Sensors

- Timer & Motion Sensors to automatically turn off and on any lighting.



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Warm Light (Maximum 3000 Kelvin)

- Utilization of “Warm Light” tones help to reduce the amount of “lighting bleed” or reflectivity of exterior spaces.

Light Trespass Allowance

- The amount of light that illuminates adjacent property or unintended areas. This occurs from type of fixture, type of lighting source, level of lumens and level of kelvin.

Light Curfew

- Limit and restrict the time of exterior lighting that is allowed through the city. Light curfew also utilizes automatic dimmers, timers, and motion sensors.

Standard Exemptions

- Standard exemptions are necessary for the safe and effective use of public and private property throughout the city. Areas such as roadways, sidewalks, parking areas should be exempt or allowed increased lighting coverage due to the vehicular and pedestrian safety concerns. Additionally, a standard exemption which allows for security lighting in specific circumstances should be included.