



City Council Agenda Report

Meeting Date: April 8, 2025

Prepared By: Nick Zornes

Approved By: Gabe Engeland

Subject: Zone Text Amendments for Bird Safe Design and Lighting Performance Standards

COUNCIL PRIORITY AREA

- ☐ Public Safety
- ☐ Business Communities
- ☐ Circulation Safety and Efficiency
- ☒ Environmental Sustainability
- ☐ Housing
- ☒ General Government

RECOMMENDATION

Introduce an ordinance of the Los Altos City Council adding Chapter 14.90 for Bird Safe Design and Chapter 14.91 for Lighting Performance Standards and consideration of the City of Los Altos Planning Commission's November 21, 2024, recommendation with modifications and find that this ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970.

FISCAL IMPACT

Not Applicable.

ENVIRONMENTAL REVIEW

The proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

PREVIOUS COUNCIL CONSIDERATION

Not Applicable.

BACKGROUND

In late 2023, the Los Altos City Council directed staff to develop an ordinance in coordination with the Environmental Commission regarding Bird Safe Design and Dark Skies. The Los Altos Municipal Code does not presently regulate either of these two provisions.

In late spring the Environmental Commission voted on the general requirements of what should be included within a Bird Safe Design and Dark Skies ordinance. Following the discussion regarding the general requirements for the ordinance an Environmental Commission Subcommittee worked directly with the Development Services Department, Management Analyst

II and Assistant City Manager on the draft ordinances under consideration. Additionally, the draft ordinances were reviewed by the Environmental Commission on October 9, 2024; the Environmental Commission made a unanimous decision for the Draft Ordinance to advance to the following stages for adoption.

Since the draft regulations will largely affect housing developments within the City of Los Altos it is essential for these provisions to be included within the Zoning Code which will allow for universal application of standards. All Zoning Code amendments require review by the Los Altos Planning Commission. Following the decision of the Environmental Commission the draft ordinance was scheduled for consideration of the Planning Commission on November 21, 2024.

On November 21, 2024, the Planning Commission was presented the draft ordinances as approved by the Environmental Commission. The Planning Commission made the following recommendation to the Los Altos City Council:

Motion by Beninato and Second by Steinle to recommend the Los Altos City Council adopt Chapter 14.91 for Lighting Performance Standards with a modification to Section 14.91.070 changing provisions for existing nonconforming lighting to be modified upon a 50% threshold of a remodel instead of a five and ten year compliance period and look at providing an incentive program for existing structures; and not adopt Chapter 14.90 for Bird Safe Design Standards; and find the proposed amendments are exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. Motion carried unanimously by roll call vote.

DISCUSSION

Since the Planning Commission provided a recommendation to the City Council which differs from the recommendation of the Environmental Commission, both recommendations are presented for consideration by the City Council.

Environmental Commission Recommendation

The proposed Lighting Performance Standards Ordinance is to protect and enhance the city's natural environment and public health by reducing light pollution at night through reasonable restrictions on outdoor lighting.

	New Builds	Existing Structures
Applicability	Residential, Commercial, City Buildings	
Prohibited Lighting	Blinking, flashing, rotating lights, searchlights, spotlights, high-intensity discharge lighting, aerial lasers	
Compliance Period	Immediate	Residential: 10 years; Commercial: 5 years, City: 10 years
Color Temperature	2700k or lower (warmer yellow light)	
Street Lighting	Shielded and directed downward; Extinguished by 11 PM (exceptions for seasonal or timer-controlled lighting)	

The proposed Bird Safety Ordinance is to protect the natural environment and promote wildlife by minimizing adverse effects of development on resident and migratory birds.

	Requirements
Applicability	Multi-dwelling residential and commercial buildings
Building Features	Avoid highly reflective/transparent glass on facade; Avoid funneling flight paths along buildings; Avoid planting trees close to facades
Facades	Ground to 60 ft: No more than 10% untreated glass; Above 60 ft: no more than 5% untreated glass
Glazing Treatments	Opaque glass, window muntins, exterior insect screens, exterior netting, etc. Treatments must have high color contrast and be applied to the outermost surface

Planning Commission Recommendation

Following a presentation the Planning Commission asked clarifying questions of Nick Zornes, Assistant City Manager; opened the Public Hearing for Public Comments, no members of the public were present to provide comments; followed by discussion of commissioners.

The Planning Commission expressed general concern with the Bird Safe Design ordinance. Comments made by the Planning Commission were regarding the cost of Bird Safe Design requirements, the aesthetics of Bird Safe Design requirements further changing the look of buildings, and that “we are solving a problem, I didn’t know we had”. The Planning Commission recommended to the City Council not to adopt the Bird Safe Design ordinance.

The Planning Commission generally accepted the Lighting Performance Standards as prepared by the Environmental Commission except for Section 14.91.070 Application of Chapter to Existing Nonconforming Lighting. The original recommendation of the Environmental Commission included enforcement of nonconforming lighting on a 5- or 10-year compliance schedule post adoption, which the Planning Commission was concerned about the impact on existing developments and the future financial costs associated with those upgrades. The Planning Commission recommended the compliance mechanism for existing nonconforming lighting to be modified upon a 50% threshold of a remodel.

ATTACHMENTS

- 1. Planning Commission Agenda Report – November 21, 2024**
- 2. Planning Commission Meeting Minutes – November 21, 2024**
- 3. Draft Ordinance Chapter 14.90**
- 4. Appendix A – Environmental Commission Recommendation**
- 5. Draft Ordinance Chapter 14.91**
- 6. Appendix A – Environmental Commission Recommendation**
- 7. Appendix A – Planning Commission Recommendation**