



# City of Sunnyvale

## Agenda Item

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24-0131

Agenda Date: 2/15/2024

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### 2024 COUNCIL STUDY ISSUE

#### **NUMBER**

CDD 24-02

**TITLE** Explore the Creation of a Dark Sky Ordinance for all Private Property

#### **BACKGROUND**

**Lead Department:** Community Development  
**Support Departments:** Office of the City Manager  
Office of the City Attorney  
Department of Public Works  
**Sponsor(s):** Planning Commission  
**History:** 1 year ago: N/A  
2 years ago: N/A

#### **SCOPE OF THE STUDY**

##### **What precipitated this Study?**

Sunnyvale currently has general requirements for lighting installed at multi-family and non-residential development projects as well as bird safe design guidelines. Staff also reviews lighting specifications and/or photometric plans for these types of projects, which addresses light spill off the project site. Although there are some lighting requirements for single-family dwellings, the City does not currently review lighting specifications or photometric plans for those projects.

The Planning Commission sponsored this Study Issue to create a Citywide Dark Sky Ordinance to further protect the bird population and to limit light pollution emitted at night on all private property. As migrating birds fly through urbanized areas, they can become disoriented by bright artificial lights and sky glow, resulting in detours and collisions with buildings or windows.

Dark Sky Lighting standards have been incorporated into the recently adopted Citywide Objective Design Standards for Multi-Family Residential and Mixed-Use Developments (Chapter 4.6.5). Standards address shielding of lighting, lighting schedules, timers/automation and a list of prohibited lights. Similar requirements will be incorporated into the Low-Density Objective Design Standards that will apply to single-family and duplex homes. The Study could focus on non-residential development.

##### **What are the key elements of the Study?**

The Study to explore the creation of a dark sky ordinance may include:

- Evaluation of the bird safe design guidelines to determine whether the requirements and/or areas covered should be expanded to a citywide level for all private property;
- Exploring dark sky ordinances or lighting requirements from other jurisdictions;

- Exploring model ordinances from non-profit groups such as DarkSky.org;
- Evaluating the Objective Design Standards that were recently adopted and to also evaluate non-residential development;
- Determining whether new standards would apply to new development only or would also include existing development;
- Working with a consultant to develop new objective lighting requirements or lighting design standards and to understand the issue better in Sunnyvale; and
- Outreach meetings with advocacy groups, the development community, and residents.

**Estimated years to complete study:** 1-2 years

### **FISCAL IMPACT**

#### **Cost to Conduct Study**

Level of staff effort required (opportunity cost):	Moderate
Funding Required for Non-Budgeted Costs:	\$50,000
Funding Source:	Will seek General Fund budget supplement

Staff would utilize the funding to hire a consultant who specializes in lighting and dark sky ordinances to assist the City in understanding the impacts of such action, developing a community engagement plan, assist with the outreach meetings to receive input from the stakeholders and assist in finalizing the report that will be presented to Council on this topic.

#### **Cost to Implement Study Results**

Unknown. The Study would include assessment of potential costs, including capital and operating, as well as revenue/savings.

### **EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION**

Council-Approved Work Plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

### **STAFF RECOMMENDATION**

Support. This policy issue merits discussion at the 2024 Study Issues Workshop.

Staff notes that light poles in the public right-of-way tend to emit most of the light in single-family neighborhoods. Public street-lights are already required to be full cutoff lighting and limit the amount of light spillage into the sky. As noted above, Dark Sky standards have been incorporated into the adopted Citywide Objective Design Standards for Multi-Family Residential and Mixed-Use Developments and will also be included in the Low-Density Objective Design Standards. A study could evaluate the current standards that have been incorporated and also look at new standards for non-residential development.

Prepared by: Shaunn Mendrin, Planning Officer

Reviewed by: Trudi Ryan, Director, Community Development Department

Reviewed by: Connie Verceles, Deputy City Manager

Approved by: Kent Steffens, City Manager