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AGENDA ITEM NO.: 5 (Presentation)
PLANNING COMMISSION MEETING DATE: May 26, 2021
SUBJECT: Staff will update the Commission on issues related to night time light pollution and potential regulation of exterior lighting.

EXECUTIVE SUMMARY

Since staff conducted a workshop with the Planning Commission in February of 2019, staff has worked with the Dark Skies working group to gain a better understanding of the elements that are currently regulated by the California Building Standards, and the issues that the County may consider regulating beyond current State regulation. Staff will present some elements that could be incorporated into a County ordinance, based on community feedback and the public presentations to the Commission.

BACKGROUND

Since 2002, the Chapter 8.8 of the Inyo County General Plan, Visual Resources has addressed outdoor lighting through Policy VIS-1.6, which reads:

Control of Light and Glare

The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays and billboards use low-energy, shielded light fixtures which direct light downward (i.e. lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

This policy has never been reflected in any ordinances in the Inyo County Code

In June of 2018, after presentations from the Inyo County Dark Sky Group (ICDSG) and the Planning Department Staff to the Board of Supervisors, the Board directed staff to continue research and conduct community workshops to get local input on the issues of dark skies and exterior lighting. In October of 2018, staff conducted three public workshops. Then, in February of 2019, staff conducted a workshop with the Planning Commission, where staff went over the public input received, as well as giving the Commission and any public in attendance an overview of the issues and opportunities relating to exterior lighting. Finally, in November 2019, staff had compiled the key points that the public expressed interest in, but this is essentially where the process stopped.

To summarize, based on community workshops in Bishop, Lone Pine, and Independence, the public was very interested in preserving the resource of Inyo County's dark skies, both for the enjoyment of our residents and as a potential tourist attraction. Issues of glare, light trespass and the intensity of LED lighting at the bluer end of the spectrum were some of the primary concerns raised at the public meeting and echoed at the Planning Commission workshop. It became evident at this meeting, and based on further research, that Staff needed to get a more complete understanding of exactly what was covered by California Building Standards, and then make proposals that related to just the areas that were unregulated by State law. Following the February 2019 Planning Commission meeting, staff held two more working group meetings and completed research on how State law already regulates Inyo County. Staff has also developed basic recommendations for areas that could be regulated locally as ways the County could be a leader in non-code related dark sky policy.

Today's Planning Commission Presentation will cover the following:

- An brief recap of the issues, terminology and challenges of light pollution
- Current Dark Skies/Exterior Lighting regulation at the State level. Most of the State regulations pertaining to lighting, are aimed at controlling indoor lighting in commercial, industrial, and residential areas. In addition these specifications focus on energy efficiency rather than light pollution.
- Potential local regulation by Inyo County of areas not covered by State code
 - Cut-off light requirement for residential construction
 - Light trespass prohibition for residential construction
 - Lighting nuisance defined and code modifications so lighting nuisances can be treated as Zoning Violations
 - Thresholds for light temperatures for both Residential and Non-Residential exterior lighting
- Other possible ways beyond regulation that the County might be able to help reduce light pollution and preserve night-time dark skies.
 - Public education and outreach
 - Programs to encourage and/or incentivize upgrading of exterior lighting fixtures to minimize light pollution
 - County to adopt and implement internal dark-skies exterior lighting policies for County facilities
 - County to work with other public agencies (SCE, DWP, Caltrans, Schools, etc) to encourage adoption and implementation of dark-sky friendly policies.
 - County to take a leadership role in encouraging dark-sky related tourism.

NEXT STEPS

Planning Staff is looking to the Commission for any comments and recommendations before bringing a similar presentation to the Board of Supervisors. Staff will update the Board and see if they concur with the Commission's recommendations, and whether they wish to provide direction for actual policy development. Should the Board direct staff to develop regulations and policy, draft code revisions will be brought back to the Planning Commission for further review and potentially a recommendation for adoption by the Board of Supervisors. Staff will work to implement any non-code change related policies as directed by the Board.