

**CALIFORNIA ENERGY COMMISSION**

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## **NOTICE OF REQUIREMENT FOR LOCAL AUTHORITY HAVING JURISDICTION TO SUBMIT LOCALLY ADOPTED OUTDOOR LIGHTING ORDINANCES TO THE CALIFORNIA ENERGY COMMISSION**

### **Background**

The California Energy Commission first adopted Outdoor Lighting Zone requirements in the 2005 Building Energy Efficiency Standards, Title 24, Parts 1 and 6 of the California Code of Regulations (Standards). In the 2008 amendments to the Standards, Part 1, Section 10-114, was expanded to include administrative rules for notification of the Energy Commission when local jurisdictions adopt specific outdoor lighting levels.

The Outdoor Lighting Standards contain maximum lighting power allowances for newly installed equipment and specific alterations that are dependent on the Outdoor Lighting Zone in which the project is located. The Standards allow additional outdoor lighting power to be installed when there are average or minimum light levels required by a local ordinance officially adopted by the local Authority Having Jurisdiction (AHJ).

The Authority Having Jurisdiction (AHJ) is the local governmental agency with the authority to establish minimum outdoor illumination levels. This may be the local building, zoning, or planning board, or other governmental agency responsible for the municipal general plan or local zoning regulations.

An AHJ may officially adopt specific outdoor light levels by following a public process that allows for formal public notification, review, and comment about the proposed light levels. This notice describes the reporting requirements that a local AHJ must follow to notify the Energy Commission of locally adopted outdoor lighting ordinances.

### **Adopted Outdoor Lighting Ordinances**

Additional lighting power allowances are available when light levels higher than allowed by the Standards are required by law, through a local ordinance officially adopted by the AHJ in accordance with Section 10-114 of the Standards.

The local AHJ may officially adopt specific outdoor light levels, which shall be expressed as average or minimum footcandle levels, by following a public process that allows for formal public notification, review, and comment about the proposed adjustment.

A local AHJ that adopts specific outdoor light levels shall notify the Energy Commission by providing a description of the adopted specific light levels to the Executive Director. The description shall include all of the following details:

1. Documentation establishing that the party submitting the notification to the Energy Commission is the local Authority Having Jurisdiction.

2. The minimum or average light levels adopted, and the applications where these light levels apply.
3. The county name, city name if any, and zip code(s) of all areas covered by the local ordinance.
4. A description of the public process that was conducted in adopting the specific light levels, including the dates and publications used for the formal public notification, an explanation of the process conducted to allow review and comment, and a copy of the resolution adopted by the AHJ.
5. An explanation of how the adopted specific outdoor lighting levels are consistent with Section 10-114.

The Standards shall recognize only those light level ordinances that have been officially adopted by a local AHJ and have been reported to the Energy Commission as described above. The Standards shall not recognize minimum light level requirements which have not been properly adopted by the AHJ, even if reported to the Energy Commission, or minimum light level specifications established by other parties, such as retailers or other business. Outdoor lighting ordinances, which were officially adopted by the AHJ prior to the effective date of the 2008 Standards of January 1, 2010, but were not adopted in compliance with the public process requirements of Section 10-114, have been superseded, and must be re-adopted by the AHJ pursuant to the above requirements in order to be recognized by the Standards. Prior outdoor lighting ordinances that were adopted in accordance with the public process requirements shall be recognized by the Standards only upon submission of the above information to the Energy Commission by the AHJ.

### **Additional Information Available on the Energy Commission Website**

The Energy Commission maintains on its website a list of local adjustments to the Outdoor Lighting Zones and a list of Locally Adopted Outdoor Lighting Ordinances.

Following is the Energy Commission web link for “Determination of Outdoor Lighting Zones, Locally Adopted Outdoor Lighting Ordinances”:

[www.energy.ca.gov/title24/2008standards/outdoor\\_lighting/](http://www.energy.ca.gov/title24/2008standards/outdoor_lighting/)

The following documents, among others, are available at the above website:

- An electronic version of this Notice
- General Information about Locally Adopted Outdoor Lighting Ordinances
- Instructions and Data Form for Local Authority Having Jurisdiction (AHJ) to Submit Adopted Outdoor Lighting Ordinances
- List of Locally Adopted Outdoor Lighting Ordinances