

CITY OF SEASIDE, OREGON DRAFT OUTDOOR LIGHTING ORDINANCE

ORDINANCE NO. 2013-05

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ADDING CHAPTER 101 TO THE CODE OF SEASIDE, ESTABLISHING OUTDOOR LIGHTING REGULATION, MAINTENANCE PROVISION, & NUISANCE LIGHTING ABATEMENT PROCEDURES

WHEREAS, the city is interested in reducing the visual glare caused by unshielded exterior lighting in Seaside; and

WHEREAS, the installation of lighting that is controlled in such a way that it illuminates the subject property and avoids illumination of the surrounding environment is an efficient use of lighting; and

WHEREAS, the City of Seaside is interested in establishing "Dark Sky" provisions that will in time make the night sky more visible throughout the city.

WHEREAS, lighting that is directed at neighboring residential property can create adverse impacts and it is not specifically recognized as an enumerated nuisance under the current nuisance ordinance, Chapter 96; and

WHEREAS, City Council is seeking a way to promote the use of outdoor lighting that will enhance the livability of our community and minimize the impacts exterior lighting can have on surrounding properties or our environment.

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Amend the Code of Seaside by adding Chapter 101 to read as follows:

CHAPTER 101: OUTDOOR LIGHTING

101.010 PURPOSE, FINDING, & INTENT.

The city council finds that the installation of outdoor lighting can cause unwanted impacts within the City of Seaside and adversely affect the value, utility, and habitability of the property within the city as a whole.

The purpose of this supplementary provision is to make the lighting used for residential, commercial, and public areas appropriate to the need and to keep light from shining offsite onto adjacent public rights of way or private properties. Further, it is to encourage, through regulation of type, kinds, construction, installation, and uses of outdoor illuminating devices, lighting practices, and systems to conserve energy without decreasing safety, utility, security, and productivity while enhancing nighttime enjoyment of property within the City

These lighting provisions contained herein are intended to achieve the following:

(A) Develop regulations that will promote the installation of outdoor lighting that will enhance the livability of our community and minimize the impacts exterior lighting can have on surrounding properties or our environment; and

(B) Establish guidelines for the installation of lighting that is controlled in such a way that it illuminates the subject property and avoids the inefficient illumination of the surrounding environment; and

(C) Supplement city Nuisance Ordinance Chapter 96 and further define lighting classified as a public nuisances.

101.020 REQUIREMENTS FOR INSTALLATION.

Except as exempted by provisions of this ordinance, as of the date of adoption; the installation of outdoor lighting fixtures shall be subject to the shielding & glare elimination provisions of this ordinance. Outdoor lighting installed on or adjacent to residentially developed property must not be more than 20 feet above the ground level immediately below the fixture.

101.030 SHIELDING & GLARE ELIMINATION

All nonexempt outdoor lighting fixtures shall have translucent covers that eliminate glare or directed shielding so as to prevent direct light from the fixture to shine beyond the property limits where the fixture is installed. This means that a person standing at the adjacent property line would not see the light emitting source (See Figure 1).

101.040 PROHIBITIONS.

(A). Laser Source Light. The use of laser source light or any similar high intensity light when projected beyond property lines is prohibited.

(B). Searchlights. The operation of searchlights for purposes other than public safety or emergencies is prohibited.

101.050 EXEMPTIONS.

(A) Outdoor light fixtures lawfully installed prior to the effective date of this ordinance are exempt from all such requirements except as follows:

(1) A light fixture directed onto a neighboring property such that the glare is declared a nuisance in accordance with City Ordinance 96.23 (B).

(B) Site lighting along the common property lines of non-residentially developed property where continuous illumination is intended. Likewise, lighting along the common property lines of all parking lots where continuous illumination is desired.

(C) Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration (FAA) are exempt from these provisions. All other airport outdoor lighting must conform to this ordinance.

(D) Tower or antenna safety lighting required by FAA.

(E) Lights of less than 15 watts used for holiday decorations for no more than 45 days are exempt from the requirements of this ordinance.

(F) Carnivals, Fairs, or other special events that require the use of temporary outdoor lighting fixtures are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.

(G) Lighting for U.S. flags intended to be properly displayed at night.

(H) Temporary exemptions to the requirements of this ordinance for up to five days per calendar year.

(I) Construction lighting necessary for an allowed use are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.

(J) Lights installed on public property or in the public right of way; however, all lighting must aspire to use dark sky compliant fixtures and use recessed lighting elements or indirect light sources wherever practical.

(K). Individual light fixtures with lamps of less than 450 lumens. *The acceptability and shielding restrictions applicable to a particular lamp are decided by its initial lumen output, not wattage; check manufacturer's specifications.*

Examples of lamp types of 450 lumens and less are:

- 40 Watt Standard Incandescent
- 11 Watt Cool White Fluorescent
- 11 Watt Compact Fluorescent
- 8 Watt High efficacy LED accent light

ADOPTED by the City Council of the City of Seaside on this 12 day of August, 2013, by the following roll call vote:


YEAS:	JOHNSON, MONTERO, BARBER, FRANK, LARSON, LYONS
NAYS:	NONE
ABSTAIN:	NONE
ABSENT:	PHILLIPS

SUBMITTED to and **APPROVED** by the Mayor on this 13 day of August, 2013.



DON LARSON, MAYOR

ATTEST:



Mark J. Winstanley, City Manager

Figure 1
Shielding Provisions for Outdoor Lighting

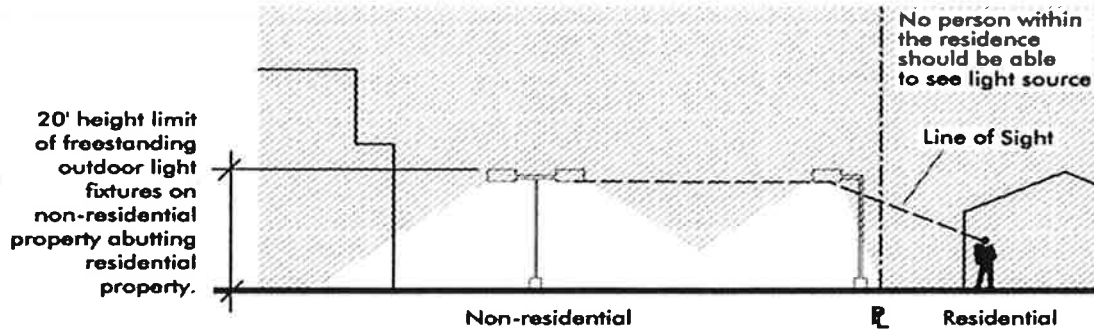
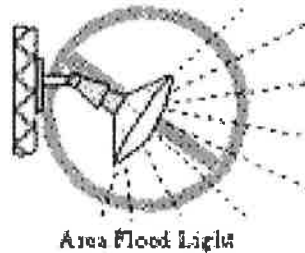
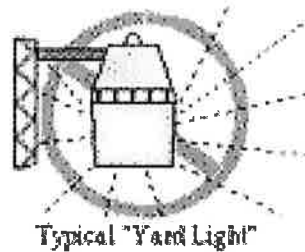
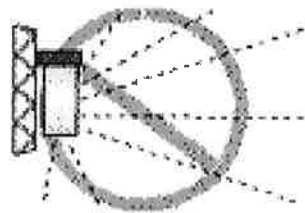


Figure 2
Examples of Acceptable Outdoor Lighting Fixtures

COMMON LIGHTING FIXTURES

NON COMPLIANT



GOOD

