

Proposed Oceanside Outdoor Lighting Ordinance

[Adapted from City of Bend: Chapter 3.5.200 Outdoor Lighting Standards]

A. Intent. It is the intent of this ordinance to allow citizens, businesses, and public agencies in Oceanside to illuminate residential, commercial, industrial, public areas, roadways and walkways with lighting fixtures appropriate to the need while using such illumination in a way that preserves urban vistas and is directed onto and is confined to the property from which it is generated.

B. Outdoor Lighting Fixtures Subject to this Ordinance. Light fixtures subject to the standards in subsection 3.5(C) of this ordinance are outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement. Such devices shall include, but are not limited to, lights for:

1. Buildings and structures;
2. Recreational areas;
3. Parking lot and maneuvering areas;
4. Landscape areas;
5. Streets and street signs;
6. Product display area;
7. Building overhangs and open canopies;
8. Holiday celebrations;
9. Construction Lights;

C. Standards for installation and operation of outdoor lighting. Except as exempt by subsection (D) of this ordinance, new outdoor lighting fixtures installed after [insert date] shall be subject to the standards below. No provision of this ordinance is intended to pre-empt the Tillamook County Sign Code or applicable state codes.

1. All outdoor lighting fixtures subject to this Ordinance shall be designed as a full cut-off fixture or have a shielding method to direct light emissions down onto the site and not shine direct illumination or glare onto adjacent properties.

2. All lighting for roadways, roadway signs, intersections, and pedestrian ways shall be designed or have an opaque shielding method to direct light emissions downward and below the horizontal plane of the fixture in the permanently installed position.

~~3. The use of laser source light or any similar high intensity light for outdoors advertising or entertainment is prohibited. [Need this?]~~

~~4. The operation of searchlights for advertising or promotional purposes is prohibited. [Need this?]~~

5. Outdoor lights at designated Historic Sites or within Historic Neighborhoods that are consistent with the architectural style or era of the building or property shall be consistent with the provisions of this ordinance.

6. Businesses and institutions with outdoor lighting, such as parking lot lights, building lights, landscaping lights and other similar exterior lighting features, are encouraged to

50 extinguish such lights at the end of the working day, except for lights necessary for
51 personal and building safety.

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53 ~~7. All outdoor lighting used for public or private sports stadiums, sports areas, recreation~~
54 ~~facilities, outdoor performance areas and other similar outdoor facilities shall be extinguished~~
55 ~~within an hour after conclusion of the final event of the day, except as exempted herein. [Not~~
56 ~~relevant to Oceanside]~~

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58 8. Externally affixed neon lighting is prohibited except in the following manner: As a trim
59 element that surrounds windows, doors, or building edges; when located on building facades that
60 face street frontages or internal driveways within **Oceanside’s commercial zone commercial**
61 ~~shopping complexes~~; such lighting shall not be located more than 15 feet from finished grade
62 [too lax?] and shall not be used to define a building roof-line; and, such lighting shall not include
63 flashing, intermittent or rotating lights. Notwithstanding the provisions of this section, all neon
64 lighting associated with signs shall be in accordance with the provisions of the Tillamook
65 County Sign Code.

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67 **D. Exemptions.** The following light fixtures or uses are exempt from complying with the
68 outdoor lighting standards of this ordinance. These exemptions shall not prevent Tillamook
69 County from adoption of later ordinances that may address the retrofitting or removal of outdoor
70 lighting fixtures.

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72 1. All outdoor light fixtures lawfully installed and operating prior to the effective date of this
73 ordinance, and not prohibited by this ordinance. This exemption shall not apply if an existing
74 light fixture is replaced. The addition of supplementary shielding and/or re-aiming of existing
75 fixtures that shine direct illumination or visible glare beyond the property line where the fixture is
76 installed **are encouraged** to help improve safety and quality of life in Oceanside.

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78 2. Residential decorative lighting and low wattage lighting used for yards and driveways
79 that does not shine glare, emit direct illumination, or cast a shadow onto adjacent property.

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81 3. Commercial ~~and industrial~~ low wattage lighting used to highlight driveways and
82 landscaping, or applied to a building, provided they are properly aimed and shielded and do
83 not shine glare into the public right of way or onto adjacent or nearby properties.

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85 4. Up-lighting intended to highlight part of a building or landscaping provided that the light
86 distribution from the fixture is effectively contained by an overhanging architectural element or
87 landscaping element and does not shine beyond the intended target. Including into the night sky.
88 Such containment elements may include but are not limited to awnings, dense shrubs or year-round
89 dense evergreen tree canopies which will contain or limit illumination of the sky.

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91 ~~5. Correctional Institutions. Exterior lighting for County correctional institutions shall be~~
92 ~~shielded high intensity discharge lighting except at the immediate entry area, in which case other~~
93 ~~lighting may be used that conforms to the intent of this ordinance.~~
94 [Not relevant to Oceanside]

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96 6. Low wattage lights used for holiday decorations for no more than 60 days [too lax?] are
97 exempt from the requirements of this ordinance.

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~~7. Carnivals and Fairs 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.~~

8. U.S. flags displayed by top mounted lighting only. The illumination of all flags other than the U.S. flag shall be extinguished at the end of public business hours or by 10:00 PM which ever is later.

9. Temporary lighting for television or movie film productions, roadway or utility construction or building construction not to exceed 60 days in any one vicinity. Permanent installations at dedicated sites must conform to the requirements of this ordinance.

~~10. The operation of outdoor lighting used for public or private sports stadiums, sports areas, recreation facilities, outdoor performance areas and other similar outdoor facilities later than the conclusion of the final event of the day when maintenance such as field grooming, irrigation, cleaning and other similar maintenance activities are required in order to have the facility ready for operation the following morning. Lights during after events maintenance shall be kept at the minimum level practicable.~~

11. All outdoor light fixtures used to highlight art features within a traffic circle or round-about providing they are properly aimed and shielded to not shine visible glare into the public right of way or onto adjacent or nearby properties.

E. Violations and penalties. For any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve or convert any lighting fixture, or cause the same to be done, contrary to or in violation of any provision of this ordinance shall constitute a Class C Civil Infraction and is subject to abatement under the nuisance provisions of Section XX through XXX of the Tillamook County Code. Each day a lighting fixture is in violation of this ordinance shall constitute a separate violation.

F. Definitions. The following definitions apply to terms in this ordinance:

1. End of business hours or End of business. “End of business hours or end of business” means (a) the end of normal or posted business hours when a business or institution is no longer open to serve customers or clients, and (b) the end of a shift or normal work hours when the majority of employees are gone from the business or institution.

2. Full Cut-off. “Full Cut-off” means a light fixture designed and constructed so that light is directed down and no light is projected above the horizontal plane. [See illustrations described by the **International Dark Sky Association**].

3. Glare. “Glare” means stray, unshielded light striking the eye that may result in (a) nuisance or annoyance such as light shining into a window; (b) discomfort causing squinting of the eyes; (c) disabling vision by reducing the ability of the eyes to see into shadows; or (d) reduction of visual performance.

44 4. High intensity discharge lighting. "High intensity discharge lamp lighting" means high-
45 pressure sodium, mercury vapor, metal halide, low-pressure sodium, induction, sulfur, xenon, and
46 other similar lamps.

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48 5. Installed. "Installed" means initial installation of outdoor lighting fixtures, poles,
49 electrical wiring, and related mounting equipment following the effective date of this
50 ordinance. Projects with approved construction plans prior to effective date of this
51 ordinance are excluded from compliance with the ordinance in the initial installation only.

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53 6. Low Wattage lights. "Low Wattage Lights" means 12-volt direct current lights or
54 individual lamps less than 0.25 watts each strung together within a translucent or transparent
55 plastic cover.

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57 7. Replacement. "Replacement" means the installation of a new lighting fixture in place of an
58 existing fixture, and/or the installation of a new lighting housing or head to an existing pole,
59 bracket or wall, tree, or other structure. Replacement does not mean the changing of light bulbs or
60 lamps in a fixture for the same or lower wattage bulbs.

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62 8. Safety / security. "Safety" means:
63 (a) Sufficient lighting at building entrances, exits, walkways and parking areas to
64 allow customers and employees to see any physical barriers and to be seen at all
65 times as they access to vehicles and sidewalks, and
66 (b) The use of full cut-off light fixtures above doors, at fire service stanchions,
67 loading areas, and similar building access points.

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69 9. Shielding. "Shielding" means an externally applied device such as a shroud or hood of
70 metal, wood, opaque plastic or opaque painted glass so that light emitted by the fixture is
71 directed downward below the horizontal plane onto the site and does not shine direct
72 illumination or glare onto adjacent or nearby property.

73 10. Unshielded. "Unshielded" means light fixtures lacking any means to restrict the
74 emitted light to below the horizontal plane or to shine or glare onto adjacent or nearby
75 property.

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77 11. Up-lighting. "Up lighting" means a shielded light fixture usually installed on the
78 ground or permanently mounted to an architectural element, tree, or other structure that has
79 the light from the fixture directed in a contained distribution pattern above the horizontal plane to
80 illuminate an adjacent or nearby building element, shrub, tree or other landscaping.

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83 **Notes**

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85 1. The **International Dark Sky Association** has a webpage [<http://www.darksky.org/>] with wonderful
86 resources. Check out their lighting guidelines for Small Communities as well as the pages showing
87 recommended lighting fixtures for residential areas.

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89 2. A resource that will be helpful in our efforts to control light pollution is: **The Ecological**
90 **Consequences of Artificial Night Lighting**. I've included the full reference and the table of contents.

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3 RBP 1/18/08