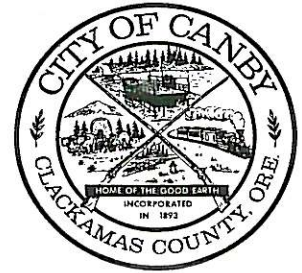


PLANNING COMMISSION AGENDA

Tuesday – November 13, 2007

**7:00 PM - Regular Meeting
City Council Chambers – 155 NW 2nd Avenue**



**Chairman Jim Brown, Vice Chair Dan Ewert
Commissioners John Molamphy, Janet Milne, Bruce Holte, Jared Taylor and Misty Slagle**

I. CITIZEN INPUT ON NON-AGENDA ITEMS

II. PUBLIC HEARINGS

III. NEW BUSINESS

Discussion of Exterior Lighting Standards project

Update on Street Maintenance Funding project

IV. FINDINGS Note: these are the final, written versions of previous oral decisions. No public testimony.

DR 07-08 – Wilco Farm Store

DR 07-09 – Kendal Floral Supply

V. MINUTES

October 22, 2007

VI. DIRECTOR'S REPORT

VII. ADJOURNMENT

Please note the meeting is on Tuesday – Nov 13

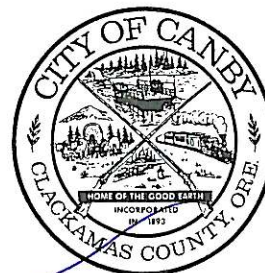
The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to Jill Thorn at 503-266-7001.

A copy of this agenda can be found on the City's web page at www.ci.canby.or.us

City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5.

For a schedule of the playback times, please call 503-263-6287.

MEMORANDUM



TO: *Planning Commission*
FROM: *John W.*
DATE: *November 13, 2007 PC meeting*

One more reminder that this next meeting is **Tuesday night** – November 13.

We have two new business items on the agenda. First, Melissa Hardy will be presenting some background and policy questions regarding exterior lighting standards. She's researched codes from other cities and our own code and is ready to move forward on this project after getting some direction from the Commission. Please bring your ideas and concerns to this meeting.

Second, I'll be presenting an update on the Street Maintenance Funding project. We have open house public meetings scheduled for November 14, 15, and 20 prior to formal Council consideration on December 5. Any comments/ideas from the Commission would be appreciated.

I wanted to update you in this memo on the school bus traffic issue. The bus barn is under construction, as I'm sure you've noticed. The condition that the Commission placed on this project was:

"The applicant must submit for City review and approval, a school bus service operational plan that addresses paragraphs 4 & 5 on page 2 of the July 12, 2007 Lancaster Engineering traffic report, prior to issuance of a Certificate of Occupancy."

No report has been submitted to us yet, but the applicant has been reminded that it's a requirement. The applicant has not sought occupancy either. We'll update the Commission when there's any change in status.

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – October 22, 2007
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Commissioners Dan Ewert, John Molamphy, Janet Milne, Misty Slagle and Jared Taylor

ABSENT: Bruce Holte

STAFF: John Williams, Community Development and Planning Director; Matilda Deas, Project Planner

OTHERS PRESENT: Bill McCormack, Scott McCormack, Mike Wells, Doug Hoffman, Rhys Konrad, Charles Burden, Scott Moore, David Briggs, Mathew Draper, Ralph Henderson, Erica Jankowski, Lonny Deffenbaugh, Terry Tolls, Bob Zimmer, Allen Patterson, Greg Nesting, Gordon Root,

I. CITIZEN INPUT None

II. PUBLIC HEARINGS

DR 07-08 – Wilco – The proposed development is Phase I of a multiple phase development located on 8 acres of land. The first phase includes construction of a Wilco Farm Store, a shell building to be leased to multiple tenants, and construction of site utilities this and all future phases. The Wilco Store will be a total of 35,000 SF, with Greenhouse structure of 5,000 SF and outside storage yard of 34,850 SF. The lease building will be a 7,200 SF shell.

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Matilda Deas presented the staff report. The applicant requests approval to construct Phase I of a multi-phase development. Phase I includes 32,200 square feet of retail space, 15,000 square feet of warehouse space, plus 34,850 square feet of storage yard space. The current request is for approval of Phase I, which includes approval of the overall access plan. Future phases will require separate Design Review approval for the particular buildings in each phase. The overall site is 8.1 acres and Phase I covers approximately 5 acres. Two 36' wide full access drives are proposed for the entire site; one off Hazel Dell Way and one off Sequoia Parkway at the southern end of the site.

Storm water will be managed on site with one storm water collection area adjacent to Sequoia Parkway directly north of the southern access drive and a larger storm water collection are in the northwest corner of the site adjacent to Hazel Dell Way.

Ms Deas said that Conditions 20 and 21 should be deleted and language has been added to Condition 11 that vegetation should not be greater than three feet high at the street level to allow for clear vision.

Ms Deas said that comments had been received from the Oregon Department of Transportation (ODOT) in regard to Hwy 99E and Sequoia Parkway. However ODOT has no jurisdiction on

this application and the issues raised are being addressed in the Transportation System Plan (TSP) update.

Chair Brown asked if the remaining property was an adequate site for future industrial development.

John Williams said it was a three-acre site and should be sufficient.

Commissioner Ewert asked about the swales and run off.

Ms Deas responded it would all be handled on site.

Commissioner Ewert asked about the retention pond landscaping.

Ms Deas responded that the vegetation requirement will have to be met.

Applicant: Mike Wells, Wells Development Company, said that he had reviewed the 28 conditions and agreed with the staff recommendation of dropping Conditions 20 and 21 and the new language addition to Condition 11.

The alignment of the driveway was discussed with the original design of Sequoia Parkway and would be handled in the plan.

At this time the tenants for the retail space are not known, but the uses would be compatible. The space is a spec building for one to four tenants.

Wilco will have a loading door and a will call door; and water quality would be handled on site.

Doug Hoffman, President and CEO of Wilco, said there had been a Wilco store on Ivy Street since the 1930's and they had purchased Canby Garden and Pet and will be combining the two operations into this new site. He expects to add 10 to 15 new employees.

Lonny Deffenbaugh, architect for the project, stated the staff report was very comprehensive. He said that since the plans had been submitted there had been a change in the wall height from 22 feet to 25 feet 4 inches, but nothing else had changed. Current code allows up to 45 feet in height.

Commissioner Ewert asked how many large trucks entered on a daily basis.

Mr. Wells said two to three per day.

Commissioner Molamphy asked if they would have propane gas tanks. Mr. Wells responded that they would and will be working with the Fire Marshal to make sure they were in compliance.

Commissioner Milne asked about the entrance on Hazel Dell Way which is one lane in and two lanes out and could a semi-truck get in and out with other cars at the entrance.

Mr. Hoffman said that generally they try to control the times and would get trucks in and out on Sequoia.

Commissioner Milne asked if there was sufficient sight distance.

Ms. Deas said the traffic engineer felt it was adequate.

Commissioner Milne asked if a new condition 20 should be a requirement for a 40 foot driveway.

Chair Brown asked Mr. Deffenbaugh to describe the signage.

Mr. Deffenbaugh responded that it would be raised letters with a stucco backing and the letters would be illuminated.

Chair Brown asked if there would be a problem adding a new Condition 21 to require the mechanical unit on the roof to be screened.

Mr. Deffenbaugh responded that it was no problem.

Chair Brown asked about the landscape plan and the reference to "future" landscape plan.

Mr. Wells said the future would be temporary landscaping of a hydra-seed mixture.

Chair Brown asked if there would be any objection to removing "future" and requiring all landscaping at the time of development.

Mr. Wells agreed it would be okay.

Proponents: None

Opponents: None

Rebuttal: None

Chair Brown closed the public hearing.

Chair Brown summarized the changes to the conditions: Remove Condition 20 and replace with a requirement for a 40 foot driveway cut on Hazel Dell Way; remove Condition 21 and replace with a requirement to screen the mechanical unit on the roof; modify Condition 11 to require vegetation no higher than three feet above the grade and add a new Condition 29 to modify the landscape requirements.

Chair Brown felt it was a straight forward application and was glad to see they are raising the building height.

Commissioner Taylor was concerned about the possible vacancy of a big box store as it would leave an ugly hole.

Commissioner Molamphy felt it was a good addition to the industrial park.

It was moved by Commissioner Ewert to approve DR 07-08 with the following changes: Condition 11 with the bios wale and plantings less than three feet high; Condition 20 to require a 40 foot drive width; Condition 21 that the mechanical units screened and Condition 29 to require

landscape areas to be installed now which are shown as "future landscape." It was seconded by Commissioner Molamphy. Motion carried 6-0.

DR 07-09 – Kendal Floral – Site and Design Review for a 132,600 SF flex manufacturing warehouse distribution project. 92,040 SF portion of the proposed building is intended to serve Kendal Floral's business and the remaining for a future tenant.

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Matilda Deas presented the staff report. The applicant is proposing to construct a 132,600 square foot tilt-up construction flex warehouse and distribution development on 7.56 acres. Kendal Floral will occupy 92,040 square feet of the development. The remaining space will be occupied by a future tenant. Kendal Floral imports fresh flowers from overseas and assembles arrangements that are then distributed to various grocery outlets such as Fred Meyer, Safeway, and Costco.

The site is located on the south side of Hazel Dell Way. Kendal Floral will occupy 92,040 square feet of the development, and the remaining 40,560 square foot area will house a future tenant.

Kendal Floral is currently located in Aurora, but they have outgrown that facility and will relocate to Canby. Their operations include importing flowers and assembling and distributing floral arrangements to grocery stores such as Fred Meyer, Safeway, and Costco (more information available on-line at <http://www.kendalfloral.com>).

The proposed use is permitted outright in the M-1, M-2 and I/O zone Kendal Floral expects to employ 170 people, far exceeding the 12 employees per acre requirement for the I-0 zone.

Commissioner Ewert asked if the traffic study had considered the large number of employees that were anticipated for the project.

Ms Deas responded that the engineer had received the entire application packet which contained that information.

Chair Brown said he had articulation issues he would address later.

Applicant: David Briggs, General Manager for Kendal Floral, said the business imported flowers from South America and other places and sold to Costco, Safeway and other retail organization. This project when completed would bring all the employees together in one facility and be a state of the art floral business. Four weeks out of the year prior to Valentine's Day and Mother's Day they have seasonal help and run two shifts.

Rhys Konrad, project manager with Group Mackenzie, thanked the staff for getting the application to the Planning Commission in such a timely manner. He agreed with the staff report and the proposed conditions. He said the future space would either be another warehouse distribution business for future use for Kendal Floral.

Scott Moore, architect with Group Mackenzie, said the wall panels would be 38 feet to allow for screening.

Proponents: None

Opponents: None

Rebuttal: None

Chair Brown closed the public hearing.

Chair Brown said the application seems to be what the industrial park was designed for but felt something was needed to make the building look good. He said the design passed all the matrix issues except for the articulation issue. He felt the articulation and detail was not sufficient.

Commissioner Molamphy asked how far Mr. Brown thought the Commission should go on design issues in regard to articulation.

Chair Brown said he was not proposing that the Planning Commission be a design review board, but the application needed additional conditions to address the lack of sufficient articulation and detail.

Commissioner Taylor said he disagreed and felt the application had met the criteria.

Commissioner Milne said she was not that disappointed in the application.

Commissioner Ewert felt the flat panels did not meet the matrix criteria.

Commissioner Slagle felt it would fit well in the area.

Commissioner Molamphy felt it was a good application and that the Commission should not design the project for the applicant.

Mr. Williams said that staff would prefer the Commission continue the hearing and allow the applicant to submit changes and then the Commission make a decision. He also said the Commission had approved a similar building in the American Steel application.

Commissioner Milne requested that the public hearing be re-opened to hear from the applicant.

Chair Brown re-opened the public hearing.

Applicant: Rhys Konrad said the applicant would like to opportunity to come back that they had a sense of what the Commission was concerned about.

Proponent: None

Opponent: None

Chair Brown closed the public hearing.

Commissioner Ewert said he would like to see the changes and approve the application on November 13th.

Chair Brown said he would like to approve with conditions and have the Commission approve the final plan.

Commissioner Ewert felt there needed to be a condition to require a left turn only out of the site to put the trucks on Hazel Dell Way to Sequoia Parkway to Hwy 99E and keep traffic off of First and Haines.

John Williams said that traffic was not limited on previous projects on Hazel Dell Way.

Chair Brown polled the Commission on this proposed condition. Four Commissioners felt the condition was not needed. Two Commissioners felt it was needed.

Chair Brown felt there should be increased articulation of the façade with the intent to try to pump up the entrance areas.

Commissioner Taylor felt the Commission should vote to approve or not approve without additional conditions.

It was moved by Commissioner Molamphy to approve DR 07-09 as amended to require increased articulation and detail to the building facade to break up the large building surfaces and trucks to be left turn only out of property. It was seconded by Commissioner Milne. Motion carried 5-0-1 with Commissioner Taylor abstaining.

III. NEW BUSINESS None

IV. FINDINGS None

DR 07-06 Rite Aid - Commissioner Molamphy moved to approve the findings for DR 07-06 as presented. Motion seconded by Commissioner Taylor. The motion passed 6-0.

DR 07-07 Panda Express Restaurant - Commissioner Molamphy moved to approve the findings for DR 07-07 as presented. Motion seconded by Commissioner Slagle. The motion passed 6-0.

V. MINUTES

October 8, 2007 - Commissioner Ewert moved to approve minutes of October 8, 2007 as presented. Motion seconded by Commissioner Molamphy and passed 6-0.

VI. DIRECTOR'S REPORT

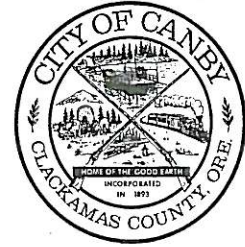
Mr. Williams announced that the work session on design standards would be on November 26th. At the November 13th meeting there would be a review of the Street Maintenance Funding program. Also, Melissa Hardy, the new Associate Planner, would be presenting proposed standards for lighting and seeking direction from the Commission. The staff will have information on the school bus traffic routing and a list of the long range planning projects. Mr. Williams also reminded the Commission the meeting would be on Tuesday instead of Monday because of Veteran's Day on Monday.

Commissioner Taylor asked if a list of criteria in the various sections of the code that need clarification could be presented to the Commission. Mr. Williams responded that generally

these types of things only become evident on applications like the one handled earlier in the meeting.

VII. ADJOURNMENT

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF CANBY**



**A REQUEST FOR SITE AND DESIGN) FINDINGS, CONCLUSION & FINAL ORDER
REVIEW APPROVAL FOR PHASE I) DR 07-08
OF A MULTI-PHASE DEVELOPMENT) (Wilco Farm Store)**

NATURE OF APPLICATION

The City has received DR 07-08 requesting approval to construct Phase I of a multi-phase development. Phase I includes 32,200 square feet of retail space, 15,000 square feet of warehouse space, plus 34,850 square feet of storage yard space. The current request is for approval of Phase I, which includes approval of the overall access plan. The property is zoned CM (Heavy Commercial/Manufacturing – 2.6 acres), M-2 (Heavy Industrial – 5.5 acres) in the I-O (Industrial Area Overlay).

CRITERIA AND STANDARDS

In judging whether or not a Site and Design Review application shall be approved, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the proposed location and, to approve such use, shall find that the following criteria are either met, can be met by the application of conditions, or are not applicable:

1. The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
 - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
 - D. The Board shall, in making its determination of compliance with subsections B and C above, use the Design Review matrix outlined in Section 16.35 to determine

**Conclusion and Final Order
DR 07-08
Page 1 of 7**

“compatibility”. An application is considered to be “compatible”, regarding subsections B and C above, if the minimum score in each category is met for the entire development. [Note: The Design Review Matrix for the Industrial Overlay Zone relies on minimum acceptable points for each category rather than an overall percentage per Section 16.35.070 of the CMC.]

- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.
2. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
3. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
4. As part of the Site and Design Review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

FINDINGS AND REASONS

The Planning Commission, after holding a public hearing on October 22, 2007 and considering the October 10, 2007 staff report deliberated and reached a decision approving the applicant's request for design review. The Commission discussed the layout and design of the site. The Commission adopted the findings and conclusions contained in the October 10, 2007 staff report, written in the Order below.

CONCLUSION

The Planning Commission concludes that the application meets the requirements for Site and Design Review approval with the additional recommended conditions. In direct response to the criteria for Site and Design Review, staff concludes the following:

- A. The proposed development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved;

- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
- C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity;
- D. The C-M and I-O zones have their own design standards, as shown in the matrices for those zones;
- E. The Board shall, in making its determination of compliance with subsections B and C above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsections B and C above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.
- F. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.
- G. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
- H. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
- I. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

ORDER

IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that **DR 07-08** is approved, subject to the following conditions:

Prior to construction:

1. This approval is for proposed Phase I and for the overall access plan. Subsequent building design in future phases will be subject to additional Design Review application(s) to be reviewed

and approved by the City.

2. A pre-construction conference shall be held prior to the issuance of building permits. Seventeen copies of the pre-construction plans shall be given to the City to be reviewed and approved by the required utility providers *prior* to the pre-construction conference. No building permit will be issued without signed approval from all affected service providers and City staff.
3. A revised, full-sized set of **all** submitted development plans (including site plan, utility plan, etc.) shall be provided, depicting each of the written conditions to the satisfaction of the City Planning Department. The approval of this application requires all elements drawn or proposed by the applicant to be constructed unless otherwise approved by the City.
4. The design, location and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider. Any relocation of existing utilities shall be performed at the expense of the applicant. All utility services shall be provided through existing service laterals without requiring cutting Sequoia Parkway, unless otherwise approved by the Public Works Supervisor.
3. If necessary, recorded easements on the property shall be approved for vacation by appropriate utility providers and new easements recorded to utility providers' specifications.

For the Building Permit Application:

6. A detailed landscape construction plan shall be submitted with the building permit application. The detailed landscape plan shall show: the number of plants, plant spacing and location of planting, the type and size of plant materials, a planting schedule and irrigation plans. The final landscape plan shall reflect the approved landscape plan submitted with the Site and Design Review application and any modifications conditioned.
7. Landscape materials shall be planted so as to provide a *minimum* of 95% coverage of the landscape areas with vegetation within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after said 3-year period. At least 25% of all trees planted must be a minimum 3" caliper in order to meet the Design Review standards. Remaining trees are to be a minimum of 2" caliper. Any street trees that are currently dead or that must be removed for construction must be replaced with a new tree, minimum 2" caliper, of a compatible species as approved by the Planning Department. Street trees shall be located as shown on the site plan unless otherwise approved by the Planning Department.
8. Parking shall be provided as shown on the site plan. Wheel stops shall be required in areas where abutting sidewalks are less than 8 feet in width and in areas where landscaping within 2 feet of the curb is not limited to lawn and groundcover or could be damaged by vehicle overhangs. For parking spaces that do not meet the above criteria, wheel stops shall be placed two (2) feet in front of the end of the space.
9. A total of 14 "staple-type" bicycle parking racks shall be provided for Phase I per the requirements of CMC 16.10.100. At least 50% of the bicycle spaces shall be covered. Bicycle

parking shall be located in a well-lit, secure location within 50 feet of the main entrance per CMC 16.10.100.

10. The applicant shall landscape and irrigate the planter strip between the sidewalk and street.

Prior to Issuance of a Building Permit

11. All storm water shall be disposed of through the proposed treatment system. The design of stormwater facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for stormwater management permit approval. **Vegetation in stormwater collection areas shall be no higher than three feet above grade.**
12. An Erosion Control permit is required. Approved erosion control measures shall be in place during construction and shall conform to the City of Canby's Erosion Control Ordinance.
13. Applicant shall complete a Non-Residential Wastewater survey for review by the Waste Water Treatment Department.
14. Any existing septic system shall be decommissioned prior to the issuance of a demolition permit. Removal and/or decommissioning of septic systems shall be coordinated with and approved by the Public Works Department.
15. Any decommissioned wells shall be capped in accordance with State and City requirements.

During Construction

16. If future plans call for commercial food service, a grease interceptor will be required by the Waste Water Treatment Department.
17. If stored chemicals and/or oils are kept on-site the applicant may be required to submit an Accidental Spill Prevention Plan (ASPP) prior to occupancy.
18. Fire hydrants shall be fitted with 4" storz fitting as per Deputy Fire Marshall comments.
19. All roof drainage generated from the site must be routed to the onsite stormwater treatment system.
20. **The width of the access drive onto Hazel Dell Way shall be forty feet.**
21. **Mechanical units located on roofs must be screened from public view.**
22. All grading and fill on the site shall comply with State, City and County regulations.
23. Any relocation of existing utilities required due to construction of the development shall be performed at the expense of the applicant.
24. All site lighting shall be "hooded" to project light downward.

25. The applicant is responsible for frontage improvements which shall be constructed as required by the Public Works Supervisor, including but not limited to, sidewalks, curbs, ADA ramps, lighting, and required access controls.
26. Any exterior trash receptacles (dumpsters) shall be screened from the public street. Trash receptacle areas shall not have drains located beneath them.

Notes

27. This property is subject to Advanced Financing District (AFD) charges, Local Improvement District charges (LID) which are payable upon issuance of a building permit per property. Finally, the property is subject to Economic Improvement District (EID) charges which will commence upon issuance of a certificate of occupancy.
28. Approval of this application is based on the submitted site plan, elevations, and other relevant application materials and submitted testimony. Approval is strictly limited to the submitted proposal and is not extended to any other use of the property. Modification of the approved site plan and elevations with regards to building height, sign size and design, colors, materials, landscaping, building placement, setbacks, or any other approved elements, shall require an approved modification in conformance with the relevant sections of the Canby Municipal Code.
29. The applicant shall install landscaping for the entire site as part of Phase I development. A revised set of landscape plans shall be submitted to the planning department for the preconstruction meeting that reflects this requirement.

I CERTIFY THAT THIS ORDER approving **DR 07-08** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 13th day of November, 2007.

James Brown
Chairman, Canby Planning Commission

Matilda Deas, AICP
Project Planner

ATTEST:

ORAL DECISION – October 22, 2007

AYES: Brown, Milne, Taylor, Molamphy, Slagle, Ewert

NOES: None

ABSTAIN: None

ABSENT: Holte

WRITTEN DECISION – November 13, 2007

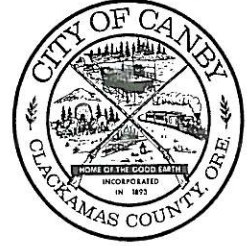
AYES:

NOES:

ABSTAIN:

ABSENT:

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF CANBY**



A REQUEST FOR SITE AND DESIGN) FINDINGS, CONCLUSION & FINAL ORDER
REVIEW APPROVAL FOR A 132,600)
Sq Ft TILT UP FLEX WAREHOUSE) DR 07-09
(Kendal Floral)

NATURE OF APPLICATION

The City has received DR 07-09, an application to construct a 132,600 square foot tilt-up construction flex warehouse and distribution development on 7.56 acres. Kendal Floral will occupy 92,040 square feet of the development. The remaining space will be occupied by a future tenant. Kendal Floral imports fresh flowers from overseas and assembles arrangements that are then distributed to various grocery outlets such as Fred Meyer, Safeway, and Costco. The property is zoned M-1 (Light Industrial) and M-2 (Heavy Industrial) in the I-O (Industrial Overlay Zone).

CRITERIA AND STANDARDS

In judging whether or not a Site and Design Review application shall be approved, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the proposed location and, to approve such use, shall find that the following criteria are either met, can be met by the application of conditions, or are not applicable:

1. The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
 - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
 - D. The Board shall, in making its determination of compliance with subsections B and C

above, use the following matrix to determine "compatibility." An application is considered to be "compatible," in regards to subsections B and C above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development. The Industrial Overlay design matrix relies on minimum acceptable points for each category rather than an overall percentage.

- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.
- 2. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
- 3. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
- 4. As part of the Site and Design Review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

FINDINGS AND REASONS

The Planning Commission, after holding a public hearing on October 8, 2007 and considering the September 26, 2007 staff report deliberated and reached a decision approving the applicant's request for design review. The Commission discussed the layout and design of the site. The Commission adopted the findings and conclusions contained in the September 26, 2007 staff report, written in the Order below.

CONCLUSION

The Planning Commission concludes that, with the application of certain conditions:

- 1A. The proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
- 1B. The proposed design of the development is compatible with the design of other development in the vicinity; and

- 1C. The location, design, size, and materials of the exteriors of structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
- 1D. The proposal is deemed compatible given that staff allocated a percentage of 77% on the design review matrix when 65% is considered compatible; and
- 1E. All required public facilities and services exist or can be made available to adequately meet the needs of the proposed development.
- 2. Public utility and service providers have indicated that the existing proposal can be made to comply with applicable standards.
- 3. The proposed development will not increase the cost of housing in Canby.
- 4. The property owner is not applying to remove street trees.

ORDER

IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that **DR 07-09** is approved, subject to the following conditions:

- 1. The building permit application shall include a revised set of all full size development plans (including site plan, landscape plan, elevations, etc.) which depicts each of the written conditions to the satisfaction of the City Planning Department. All written conditions must be met prior to final occupancy of the building unless otherwise noted.
- 2. A detailed landscape construction plan shall be submitted with the building permit application. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans. The landscape plan shall reflect the approved landscape plan submitted with the Design Review application.
- 3. Landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. Trees are to be a minimum of 2" caliper. Automatic irrigation is required for all landscaped areas.
- 4. Prior to the issuance of a building permit, installation of public utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provision is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
- 5. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.

6. An erosion control permit is required, and approval of erosion/sediment control plans is required prior to issuance of a building permit. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code.
7. Clackamas County will provide review of Fire & Life Safety, Plumbing, and Electrical permits for this project. Fire & Life Safety approval must be obtained prior to issuance of a City building permit.
8. The applicant is responsible for half street improvements meeting City standards and must be constructed on the site's entire Hazel Dell Way frontage including street trees, grass, automatic irrigation, street lighting, driveway, sidewalks, and ADA ramps. Improvements shall be completed prior to final building occupancy is approved.
9. Prior to construction of public utility and street improvements, the applicant shall provide an Engineer's cost estimate to the City to be reviewed and approved, for the asphalt concrete, aggregates, curbs, driveways, sidewalks, ADA ramps and any other required public improvement. A performance bond for an amount determined from the cost estimate is required to insure the construction of required public improvements and must be in place before construction begins.
10. Wheel stops shall not be required in areas where sidewalks are at least 8 feet in width and in areas where landscaping within 2 feet of the curb is limited to ground cover and will not be damaged by vehicle overhangs. Wheel stops shall be provided for all parking spaces located adjacent to landscaping or walkways that do not meet the above criteria. The wheel stops shall be placed 2 feet in front of the end of the parking space.
11. A total of 20 staple type bicycle parking racks shall be provided, of which 50% shall be covered. All bicycle parking shall meet the installation requirements of CMC 16.10.100.
12. The applicant shall install fire hydrants as required by the Canby Fire District.
13. Access improvements shall be inspected and approved by the Canby Public Works Department prior to installation.
14. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
15. All storm water shall be disposed of on-site. The design of storm water facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for private storm water facilities. Any drywells or UIC systems must meet DEQ criteria and be registered with DEQ. DEQ approval for all facilities shall be provided to the City prior to construction.
16. All site lighting shall be "hooded" or "cutoff" so as not to direct light skyward.

17. Traffic control devices on private property located where private driveways intersect public roads shall be installed and maintained by the applicant, and shall meet standards set forth in the *Manual on Uniform Traffic Control Devices* and relevant Oregon supplements.
18. Trash and recycling receptacles/dumpsters shall be screened from public streets and shall not have a direct connection to the storm drain or sanitary sewer systems if uncovered.
19. This property is subject to charges from an Advance Financing District and a Local Improvement District which are payable upon issuance of a building permit. In addition the property is subject to Economic Improvement District (EID) charges which will commence upon issuance of a certificate of occupancy.
20. Approval of this application is based on the submitted site plan, elevations, and other relevant application materials and submitted testimony. Approval is strictly limited to the submitted proposal and is not extended to any other use of the property. Modification of the approved site plan and elevations with regards to building height, sign size and design, colors, materials, landscaping, building placement, setbacks, or any other approved elements, shall require an approved modification in conformance with the relevant sections of the Canby Municipal Code.
21. If the use of the property changes in the future in such a way to affect parking demand, as determined by the City, a parking analysis of the new use shall be submitted for review by the City prior to approval of a business license for the new use. The new use shall provide parking spaces meeting the requirements of Canby Municipal Code unless otherwise approved by the City. This condition applies to both automobile/truck and bicycle parking.
22. A non-residential wastewater survey must be submitted for review and approval prior to final building occupancy.
23. Any proposed discharge of manufacturing areas with oily wastes or metal sediment will be required to pass through an oil-water separator or sediment trap of sufficient size to capture pollutants prior to discharge into the City's sanitary sewer system.
24. Any floor drains to be installed in the building shall be routed to an oil-water separator or sedimentation trap, with the exception of floor drains located in restrooms.
25. Any proposed connection of storm water flow to the City's sanitary sewer system requires written authorization by the City. Additional System Development Charges and monthly rates may apply.
26. Discharge from the detention pond shall have a valve or other mechanism to isolate the discharge in the event of a spill reaching the detention pond.
27. Trucks exiting the site shall be restricted to left out only at the truck service driveway.
28. As part of the building permit application, the applicant shall submit revised building elevations that demonstrate increased building articulation and detail to the building façade to break up the large building surfaces.

I CERTIFY THAT THIS ORDER approving **DR 07-09** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this **13th** day of November, 2007.

James Brown
Chairman, Canby Planning Commission

Matilda Deas, AICP
Project Planner

ATTEST:

ORAL DECISION – October 22, 2007

AYES: Brown, Molamphy, Milne, Ewert, Slagle

NOES: None

ABSTAIN: Taylor

ABSENT: Holte

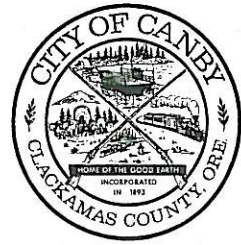
WRITTEN DECISION – November 13, 2007

AYES:

NOES:

ABSTAIN:

ABSENT:



MEMORANDUM

TITLE: Land Development & Planning Ordinance Amendment
Exterior Lighting Standards

APPLICANT: City of Canby

STAFF: John Williams, Community Development & Planning Director
Melissa Hardy, Associate Planner

REPORT DATE: October 17, 2007

I. APPLICATION SUMMARY

City Staff are requesting direction from the Planning Commission concerning initiation of an amendment to the City of Canby Land Development and Planning Ordinance (Title 16), for the purpose of amending Canby's exterior lighting regulations.

The Planning Commission may, pursuant to Title 16, Section 16.88.160.A, initiate an application for a Title 16 text amendment. This request for initiation of a Text Amendment is prompted by Planning Commission's concerns regarding Canby's existing exterior lighting regulations. Staff also seeks direction from Planning Commission to define the scope and purpose of this text amendment.

II. APPLICABLE CRITERIA

Section 16.88.160 Amendments to text of title

A Title 16 text amendment is a legislative land use amendment. In judging whether or not Title 16 should be amended, the Planning Commission and City Council will consider the following approval criteria:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the

- residents in the community;
5. Statewide planning goals.

If the Planning Commission initiates an application for a Title 16 text amendment, the Planning Commission will hold a public hearing and make a recommendation to the City Council on this proposal. The City Council will make their decision based on the record of the Planning Commission's hearing and deliberations but does not usually hold a new public hearing (though the Council may hold such a hearing if it so chooses).

III. PROPOSED AMENDMENTS

If Planning Commission initiates a text amendment concerning exterior lighting regulations, Staff would like to receive additional direction from Planning Commission to define the scope and purpose of the text amendment. In order to assist the Planning Commission in defining the scope and purpose of the text amendment, and in order to help create manageable parameters for the text amendment, the following policy questions are posed:

Policy Considerations for Outdoor Lighting on Properties Zoned or Developed as Commercial or Industrial:

Policy Question #1 ...

Should staff investigate possible land use standards to address LIGHT TRESPASS (unwanted light spillover from a neighboring property)? Light trespass can originate from many different types of outdoor lighting, such as sports field lighting, parking lot security lighting, lighted signs, architectural enhancement lighting, etc., and can be annoying or even a serious health and safety risk if veiling luminance adversely affects visibility.

Policy Question #2 ...

Should staff investigate possible land use standards to address LIGHT POLLUTION (outdoor lighting that directly illuminates the sky)? Light pollution creates sky glow that inhibits visibility of stars and changes the character of the night sky.

Policy Question #3 ...

Should staff investigate possible land use standards to address ON-SITE LIGHTING DESIGN UNIFORMITY (all outdoor lighting fixtures fall within a single design theme that relates to the architecture or design style of the structure(s) on-site)?

Policy Question #4 ...

Should staff investigate possible land use standards to create a LIGHTING DESIGN THEME FOR DOWNTOWN CANBY (Core Commercial, Transition Commercial, and Outer Highway Commercial districts identified in the Downtown Design Standards Project)?

Policy Considerations for Outdoor Lighting on Properties Zoned or Developed as Residential:

Policy Question #5 ...

Should staff investigate possible land use standards to address RESIDENTIAL EXTERIOR LIGHTING (outdoor lighting fixtures located on residentially-zoned or residentially-developed properties)?

Other Policy Considerations:

Policy Question #6 ...

Does Planning Commission wish to explore any other types of land use standards to regulate exterior lighting located on commercial or residential properties?

In considering these six policy questions, Planning Commission may find it helpful to review Canby's existing regulations concerning exterior lighting (see below), as well as those of a number of other Oregon cities sampled (see Exhibit A).

Existing Canby Standards Regarding Exterior Lighting:

16.08.120_ For a wireless telecommunications systems facility, the site and design review standards require that lighting be that as required by the FAA or as recommended by ODOT Aeronautics Division, and that all other lighting be deflected away from adjoining properties.

16.35.050_ Development standards for the Canby Industrial Area Overlay Zone include a requirement that lighting be provided for all streets, sidewalks, and pedestrian ways; and applications for land division and site plan review must include photometric plans.

16.42.029_ Sign lighting must be designed and constructed in such a manner as to not create or produce glare on nearby dwellings.

16.42.029_ Advertising devices such as strings of lights are prohibited.

16.48.050_ The staff shall utilize the following standards and criteria in conducting a site plan review (performed at time of building permit application)...C. A determination that exterior lighting will not result in a glare on neighboring properties or a hazard to motorists.

16.49.040_ At the time of Design Review, one point is granted (in the design review matrix) to a Design Review application if the applicant proposes to install parking lot lighting as part of their proposed development.

16.50.040_ The Planning Commission may impose conditions on a Conditional Use Permit to limit the manner in which signs are lighted or to limit the location and intensity of outdoor lighting and requiring lights be shielded.

16.64.030_ For subdivision of property, if a pedestrian way is required to provide a connection through a long block, a minimum of three foot-candles illumination must be provided and lighting must minimize glare on adjacent uses.

IV. FINDINGS AND CONCLUSIONS

If the Planning Commission initiates an application for a Title 16 text amendment, the Planning Commission will hold a public hearing and then make a recommendation to the City Council on this proposal, including recommended findings.

V. RECOMMENDATION

Staff recommends that Planning Commission...

1. Initiate an amendment to the City of Canby Land Development and Planning Ordinance (Title 16), for the purpose of amending Canby's exterior lighting regulations; and
2. Provide policy direction to Staff in terms of desired scope and purpose of the text amendment.

VI. ALTERNATIVES TO RECOMMENDATION

1. If Planning Commission takes no action to initiate an amendment, Canby's existing Title 16 development standards concerning exterior lighting will remain unchanged.

VII. ATTACHMENT

- A. Exterior Lighting Standards – Other Cities Sampled

Exterior Lighting Standards – Other Cities Sampled

1. City of Ashland, OR ...

18.72.140 Light and Glare Performance

There shall be no direct illumination of any residential zone from a lighting standard in any other residential lot, C-1, E-1 or M-1, SO, or HC lot.

2. City of Astoria, OR ...

3.210 Off-Street Sales and Storage Lots

Security or display lighting shall not encroach on abutting or nearby residential property.

7.110 Parking and Loading Area Development Requirements Lighting. Parking or loading areas that will be used at nighttime shall be lighted. Outdoor lighting shall be directed away from any adjacent residential zone or public street.

3. City of Bend, OR ...

2.7.540 Special Development Standards

Buffering. The City may require additional landscaping within setback areas to mitigate adverse noise, light, glare, and aesthetic impacts to adjacent residential properties from new development.

3.3.600 Bicycle Parking Standards

Bicycle parking should be at least as well-lit as vehicle parking for security.

3.5.200 Outdoor Lighting Standards

A. Intent. It is the intent of this ordinance to allow citizens, businesses, and public agencies in Bend 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 February 18, 2004 shall be subject to the standards below. No provision of this ordinance is intended to pre-empt the City of Bend 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 outdoor advertising or entertainment is prohibited.
4. The operation of searchlights for advertising or promotional purposes is prohibited.
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 extinguish such lights at the end of the working day, except for lights necessary for personal and building safety.
7. All outdoor lighting used for public or private sports stadiums, sports areas, recreation facilities, outdoor performance areas and other similar outdoor facilities shall be extinguished within an hour after conclusion of the final event of the day, except as exempted herein.
8. Externally affixed neon lighting is prohibited except in the following manner: As a trim element that surrounds windows, doors, or building edges; when located on building facades that face street frontages or internal driveways within commercial shopping complexes; such lighting shall not be located more than 15 feet from finished grade and shall not be used to define a building roof-line; and, such lighting shall not include flashing, intermittent or rotating lights. Notwithstanding the provisions of this section, all neon lighting associated with signs shall be in accordance with the provisions of the City of Bend Sign Code.

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

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

November 13, 2007

Memorandum – Exterior Lighting Standards

EXHIBIT A

2. Residential decorative lighting and low wattage lighting used for yards and driveways that do not shine glare, emit direct illumination, or cast a shadow onto adjacent property.
3. Commercial and industrial low wattage lighting used to highlight driveways and landscaping, or applied to a building providing they are properly aimed and shielded to not shine visible glare into the public right of way or onto adjacent or nearby properties.
4. Up-lighting intended to highlight part of a building or landscaping provided that the light distribution from the fixture is effectively contained by an overhanging architectural element or landscaping element and do not shine beyond the intended target including into the night sky. Such containment elements may include but are not limited to awnings, dense shrubs or year round dense evergreen tree canopies which will contain or limit illumination of the sky.
5. Correctional Institutions. Exterior lighting for County correctional institutions shall be shielded high intensity discharge lighting except at the immediate entry area, in which case other lighting may be used that conforms to the intent of this ordinance.
6. Low wattage lights used for holiday decorations for no more than 60 days are exempt from the requirements of this ordinance
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.

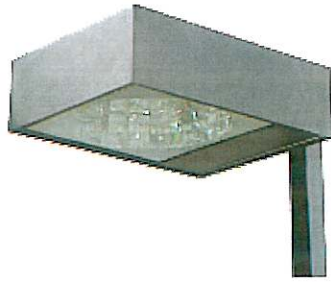
E. Violations and penalties. For any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve or convert any lighting fixture, or cause the same to be done, contrary to or in violation of any provision of this ordinance shall constitute a violation and is subject to enforcement under the provisions of Chapter 3.1, Enforcement of this Ordinance. 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 below]



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.

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

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

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

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

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

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

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

property.

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

Bend also uses standards such as: “pedestrian-oriented lighting”; lighting must follow a consistent spacing pattern; exterior lighting along the entire length of an alley-facing façade to enhance visibility and safety; conditions of design review to control location, style, intensity, and direction of outdoor lighting fixtures.

4. City of Eugene, OR ...

9.2530 Natural Resource Zone Development Standards

Area lighting shall be aimed away from resource areas where possible, and otherwise must be aimed such that light shining on natural resource areas is minimized to the maximum extent practicable. Area lighting is outdoor lighting designed to illuminate an activity area, trail or bicycle path, and shall also comply with EC 9.4830.

9.6725 Outdoor Lighting Standards

(1) Purpose of Outdoor Lighting Standards. The outdoor lighting standards are intended to produce efficient, effective, and attractive outdoor lighting that is appropriate to the need and prevents glare. The standards are designed to:

- (a) Provide for nighttime safety, utility, security and productivity while conserving energy and other resources.
- (b) Minimize glare, light trespass and light pollution.
- (c) Curtail the degradation of the nighttime environment to enhance citizens’ enjoyment and protect the natural cycles of plants and animals that require darkness at night in order to thrive.

(2) Applicability of Outdoor Lighting Standards. Except as exempted by provisions of this land use code in EC 9.6725(5) below, the installation of outdoor lighting fixtures shall be subject to these lighting standards.

(3) Shielding. All lighting fixtures subject to a lighting permit shall be cutoff and additional shielding shall be required, as necessary, to direct the light within the boundaries of the development site. Fixtures for exterior illumination of signs, including signs attached to a building, shall be top-mounted as well as shielded to aim the light downward onto the sign only. (See also EC 9.6640 General Provisions, section (6) Illumination Standards.)

(4) Prohibited Types of Lights. Decorative lasers, continuously flashing lights and searchlights are prohibited. In Intrinsically Dark Areas and Low Ambient Light Areas, as defined in EC 9.6725(8), high pressure sodium lights, mercury vapor lights, and flood lights are prohibited, except when used to illuminate walkways and bikepaths in compliance with applicable standards. High pressure sodium lights are permitted in other situations only when the maximum initial lumens generated by each lighting fixture does not exceed 2,250 lumens.

(5) Exemptions to Lighting Standards. The following lighting fixtures are exempt from meeting

these lighting standards:

- (a) Lighting fixtures that were lawfully installed prior to August 1, 2001 are exempt from meeting these lighting standards until the lighting fixture is replaced due to necessity or choice.
 - (b) A lighting fixture that does not exceed 1,500 lumens when the light is directed within the boundaries of the development site.
 - (c) Emergency lighting.
 - (d) Lighting fixtures that must conform with federal or state regulations, such as airport runway lights, TV and radio transmission towers, telecommunication towers and railroad lights.
 - (e) Holiday lights and decorations in place during the period between November 15 and January 15, except such lights shall not cause excessive glare that creates a public safety hazard.
 - (f) Temporary lighting installed for temporary activities.
 - (g) Lighting for governmental flags.
 - (h) Temporary lighting necessary for construction sites.
 - (i) Public streetlights designed, permitted and constructed in accordance with standards and specifications adopted pursuant to Chapter 7 of this code.
- (6) Lighting Permit Required.**
- (a) Except as provided in EC 9.6725(5) Exemptions to Lighting Standards, no person shall install outdoor lighting unless a lighting permit for the lights has been issued by the building and permit services manager. A lighting permit for the construction and continued use of a light shall be subject to the terms and conditions stated in the permit and to the lighting standards.
 - (b) Maintenance of a lighting fixture shall not require a lighting permit.
 - (c) Failure to abide by the terms of a lighting permit or applicable provisions of the lighting standards shall invalidate a lighting permit. The building and permit services manager may take steps as are necessary to abate such a light as a public nuisance.
- (7) Lighting Permit Application and Approval Process.**
- (a) An application and related information shall be submitted by the applicant, in a manner prescribed by the city, together with a fee established by the city manager as provided by EC 2.020 City Manager- Authority to Set Fees and Charges.
 - (b) The building and permit services manager shall approve a lighting permit based on verification by a lighting specialist that the plan complies with applicable lighting standards in this land use code.
 - (c) An approved lighting permit shall expire 180 days after the applicant has been notified of the lighting permit approval unless the applicant has paid all fees and the approved permit has been issued to the applicant.
 - (d) Unless the permit holder requests an extension of the permit and demonstrates good cause for such an extension, a lighting permit shall expire if the lighting construction or other work authorized by the lighting permit is not completed within 180 days after the date of issuance.
 - (e) No lighting permit shall be considered fully complete until the permit holder has notified the city that work is finished and a lighting specialist has inspected the lighting and is satisfied

that the lighting construction complies with the lighting standards.

(8) Creation of Outdoor Lighting Classifications. To ensure appropriate lighting while minimizing its undesirable side effects, the zones established elsewhere in this land use code are consolidated into lighting zones, as follows:

- (a) Intrinsically Dark Areas (O-1) shall consist of land zoned NR Natural Resource or contained within a conservation area/natural resource protection area. These areas are discouraged from providing lighting except where it is desirable to illuminate walkways, bike paths or other areas to be used after dark. Where lighting is to be provided the following standards shall apply:
 1. Except for pedestrian/bike tunnels, the walkway or pathway shall be illuminated to a minimum average maintained luminance of .3 foot-candle and not to exceed a maximum average maintained luminance of .9 foot-candle.
 2. The pedestrian/bike tunnel shall be illuminated to a minimum average maintained luminance of 4.0.
 3. Any other lighting fixtures not illuminating walkways, bike paths, or tunnels shall be designed to direct light downward, and light sources shall have an initial output of no more than 1,500 lumens.
- (b) Low Ambient Light Areas (O-2) shall consist of land zoned R-1 Low Density Residential, R-1.5 Rowhouse, R-2 Medium-Density Residential, C-1 Neighborhood Commercial, PL Public Land, or PRO Park, Recreation and Open Space, unless determined to have a high level of nighttime activity as set forth in EC 9.6725(8)(d), and any other zone not specifically listed under EC 9.6725(8)(a), (c), or (d). These areas are discouraged from providing lighting except where it is desirable to illuminate walkways, bike paths, parking lots or other areas to be used after dark. Where lighting is to be provided for all areas except parking lots, the following standards shall apply:
 1. Walkways or pathways shall be illuminated to a minimum average maintained luminance of .3 foot-candle and not to exceed a maximum average maintained luminance of .9 foot-candle.
 2. Pedestrian/bike tunnels shall be illuminated to a minimum average maintained luminance of 4.0.
 3. Any other lighting fixtures not illuminating walkways, bike paths, tunnels, or parking lots shall be designed to direct light downward, and light sources shall have an initial output of no more than 1,500 lumens.Parking lot lighting shall comply with standards found at EC 9.6725(9).
- (c) Medium Ambient Light Areas (O-3) shall be permitted on land zoned R-3 Limited High-Density Residential and R-4 High-Density Residential.
- (d) High Ambient Light Areas (O-4) shall be permitted in areas planned or developed for a mix of uses and a high level of nighttime activity. This includes areas in the broad zone category of commercial, except for C-1, and areas in the broad zone category of industrial. It also includes portions of colleges and universities, high schools, the fairgrounds, and other areas zoned PL determined by the planning director to have a high level of nighttime activity. Areas determined not to have a high level of nighttime activity that are zoned PL shall be considered Low Ambient Light Areas (O-2).

(9) Parking Lot Lighting. Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and not to cause glare or direct illumination onto adjacent properties or streets. Parking lot lighting shall comply with the following standards:

- (a) All lighting fixtures serving parking lots shall be cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA) and as defined in this land use code.
- (b) Alternative: Within an officially designated historic district, the design for an area may suggest the use of parking lot lighting fixtures of a particular “period” or architectural style, as either alternatives or supplements to the lighting described above.
 - 1. If such fixtures are not “cut-off” fixtures as defined by IESNA, the maximum initial lumens generated by each fixture shall not exceed 2000.
 - 2. Mounting heights of such alternative fixtures shall not exceed 20 feet.
- (c) Parking area lighting standards in the various lighting areas are as shown in Table 9.6725(9) Parking Lot Lighting Standards.

Table 9.6725(9) Parking Lot Lighting Standards			
	High Ambient Areas O-4	Medium Ambient Areas O-3	Low Ambient Areas O-2
Mounting Height (Maximum). (Mounting height is the vertical distance between the surface being illuminated and the bottom of the lighting fixture.)	30 ft	25 ft	25 ft
Minimum - Maximum Average Maintained Illumination Level.	.6 to 4.0 foot-candle	.6 to 2.0 foot-candle	.2 to .8 foot-candle
Uniformity Ratio. (Uniformity ratio is the ratio of average illumination to minimum illumination.)	4:1	4:1	4:1

(10) Lighting of Service Station/Convenience Store Aprons and Canopies. Lighting levels on service station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such location. Lighting of such areas shall not be used to attract attention to the business. Signs allowed under the appropriate section of these regulations shall be used for that purpose. These uses shall comply with the following standards:

- (a) Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking areas set forth elsewhere in this section. If no gasoline pumps are provided, the entire apron shall be treated as a parking area.
- (b) Areas around the pump islands and under canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least 10 foot-candle and no more than 20 foot-candles. The uniformity ration (ratio of average to minimum illuminance) shall be no

greater than 4:1.

- (c) Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical.
- (d) As an alternative (or supplement) to recessed ceiling lights, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. In this case light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.
- (e) Lights shall not be mounted on the top or sides (fascias) of the canopy, and the sides (fascias) of the canopy shall not be illuminated.

(11) Lighting of Exterior Display/Sales Areas. Lighting levels on exterior display/sales areas shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under the appropriate section of these regulations shall be used for that purpose. The applicant shall designate areas to be considered display/sales areas and areas to be used as parking or passive vehicle storage areas. These uses shall comply with the following standards:

- (a) Areas designated as parking or passive vehicle storage areas shall be illuminated in accordance with the requirements for parking areas suggested elsewhere in this section.
- (b) Areas designated as exterior display/sales areas shall be illuminated so that the average horizontal illuminance at grade level is no more than 5.0 foot-candles. The uniformity ration (ratio of average to minimum illuminance) shall be no greater than 4:1. The average and minimum shall be computed for only that area designated as exterior display/sales area.
- (c) Light fixtures shall include cut-off fixtures, and shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties.

(12) Lighting of Outdoor Performance Facilities. Outdoor nighttime performance events (concerts, athletic contests, etc.) have unique lighting needs. Illumination levels vary, depending on the nature of the event. The regulations in this section are intended to allow adequate lighting for such events while minimizing skyglow, reducing glare and unwanted illumination of surrounding streets and properties, and reducing energy consumption. These uses shall comply with the following standards:

- (a) **Design Plan:** A lighting design plan shall be submitted which shows in detail the proposed lighting installation. The design plan shall include a discussion of the lighting requirements of various areas and how those requirements will be met.
- (b) **Dual System:** The main lighting of the event (spotlighting or floodlighting, etc.) shall be turned off no more than 60 minutes after the end of the event. A low level lighting system shall be installed to facilitate patrons leaving the facility, cleanup, nighttime maintenance, etc. The low level lighting system shall provide an average horizontal illumination level, at grade level, of no more than 3.0 foot-candles with a uniformity ration (average to minimum) not exceeding 4:1.
- (c) **Primary Playing Areas:** Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
- (d) **Parking Areas:** Lighting for parking areas shall comply with EC 9.6725(9).

- (e) Pedestrian/Bikepath Areas: Lighting for pedestrian and bike pathways shall comply with EC 9.6725(8)(b).

(13) Lighting of Building Facades and Landscaping. With the exception of structures having exceptional symbolic or historic significance in the community, exterior building facades shall not be illuminated for the primary purpose of highlighting the building. When buildings having symbolic or historic significance are to be illuminated primarily for highlighting the building, a design for the illumination shall be approved by the planning and development director and the following provisions shall be met:

- (a) The maximum illumination on any vertical surface or angular roof surface shall not exceed 5.0 foot-candles.
- (b) Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets or roads.
- (c) Lighting fixtures mounted on the building and designed to “wash” the facade with light are preferred.
- (d) To the extent practicable, lighting fixtures shall be directed downward (i.e. below the horizontal) rather than upward.
- (e) When landscaping is to be illuminated, the planning and development director shall first approve a landscape lighting plan that presents the purpose and objective of the lighting, shows the location of all lighting fixtures and what landscaping each is to illuminate, and demonstrates that the installation will not generate excessive light levels, cause glare, or direct light beyond the landscaping into the night sky.

5. City of Lake Oswego, OR ...

50.63.010 Standards for Approval Open Air Parking Lots.

a. General Provisions.

- i. For multi-level parking facilities, the roof level shall be considered an open-air parking lot.
- ii. Open-air parking lot lighting shall be designed to provide uniform lighting throughout the facility, but shall accomplish uniform lighting with the minimum lighting necessary for safety, security, and identification of necessary features.
- iii. Open-air parking lot lighting shall not produce light trespass by the direct illumination of adjacent and nearby properties or streets.
- iv. Open-air parking lot lighting shall not produce annoying or disabling glare at normal viewing angles.
- v. Where an open-air parking lot is not anticipated to have a nighttime use, or where lighting would be out of character with the immediate environment, the reviewing authority may waive the illumination requirement.

b. Equipment and Installation Standards.

- i. Open-air parking lot lighting shall employ the use of full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA), except in special design districts where a particular “period” or architectural style has been adopted, or as specifically allowed by the reviewing authority.

- ii. Open-air parking lot lighting shall use lamps whose emission is perceived as the warm (yellow/orange) end of the color spectrum, except under the circumstances permitted in this Section. The maximum height of a pole mounted luminaire shall be 22 feet, or the height of the associated building, if less than 22 feet in height.
 - iii. Fixtures shall be positioned or shielded so as to prevent light trespass onto adjacent properties, and glare from normal viewing angles. Luminaires and poles shall be coated with a decorative protective finish as approved by the reviewing authority or shall be manufactured of a colored composite material (such as fiberglass). Un-painted galvanized steel, stainless steel, or other “raw” metals are not acceptable. Luminaires and poles shall be architecturally compatible with the associated use. The use of wood poles shall be limited to parking lots in nature parks or similar natural areas.
- c. Lighting Standards.
- i. Minimum level of illumination--0.15 foot-candles on the pavement.
 - ii. Maximum level of illumination -- 4.0 foot-candles on the pavement.
 - iii. Uniformity ratio 4:1.
 - iv. The reviewing authority may grant an exception to the Lighting Standards upon finding that a particular use warrants a higher level of illumination to protect the public safety and welfare. The discouragement of property damage crime is not a sufficient factor in and of itself to warrant an exception to the Lighting Standard.
- d. Prohibitions.
- i. Mercury vapor lamp fixtures and lamps.
 - ii. Metal halide fixtures and lamps, unless the use thereof is warranted by exceptional security demands or the need for accurate color rendering, as determined by the reviewing authority. When approved, metal halide lamps shall be filtered.
 - iii. Laser source lights.
 - iv. Bare bulbs and strings of lights, except for traditional holiday lights during the respective holiday period.
 - v. Flickering lights.
 - vi. Search lights.
 - vii. Overhead spans of wire.
- e. Curfew. The reviewing authority may impose a curfew on all, or part of, an open-air parking lot's lighting system, and may further impose the regulated system to be controlled by an automatic timer.
- f. Nonconforming Lights.
- i. Open-air parking lot light fixtures that are in service and which were lawfully installed prior to July 11, 2003 are exempt from the requirements of this Section, except that the replacement of damaged or obsolete non-conforming light fixtures shall conform to the requirements of this Section.
 - ii. Non-conforming lighting shall be replaced with a system that complies with this Section when the remodeling of any use associated with an open-air parking lot exceeds 50% of the value of that use, or the removal and renewal or expansion of an open-air parking lot exceeds 50% of the area occupied by the pre-existing parking lot.
- g. Lighting Plan Required, Content. Proposals to illuminate an open-air parking lot shall include a lighting plan. Lighting plans shall be prepared by a qualified professional specializing in illumination,

and shall illustrate iso-illuminance circles expressed in foot-candles. Lighting plans shall be accompanied with all pertinent technical data for the proposed luminaires. The reviewing authority may require lighting plans to account for the influence of adjacent offsite lighting, reflection off vertical surfaces, window spill, shadow causing objects, and any other factors deemed relevant in evaluating the perceived level of illumination.

h. Method of Measurement.

- i. Field measurements of illumination levels shall be measured with an instrument having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.
- ii. The height of a luminaire is the vertical distance between the surface of the ground and the lowest part of the luminaire.

Lake Oswego also addresses exterior lighting in it's approval criteria for conditional uses, special uses, and design review applications.

6. City of McMinnville, OR ...

17.60.080 Design Requirements (parking lot)

Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.

7. City of Medford, OR ...

10.291 Conditions of Approval

In approving a site plan and architectural review application, the Site Plan and Architectural Commission may impose, in addition to those standards expressly specified in this code, conditions determined to be reasonably necessary to ensure compliance with the standards of the code and the criteria in Section 10.290, and to otherwise protect the health, safety and general welfare of the surrounding area and community as a whole. These conditions may include, but are not limited to the following ... (10) Restricting the height, directional orientation and intensity of exterior lighting.

8. City of Newberg, OR ...

151.586 Applicability and Exemptions (exterior lighting)

(A) *Applicability.* Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:

- (1) The location, height, make, model, lamp type, wattage, and proposed cut-off angle of each outdoor lighting fixture.
- (2) Additional information the Director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.

- (3) If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.
- (B) *Exemptions.* The following uses shall be exempt from the provisions of this section:
- (1) Public street and airport lighting.
 - (2) Circus, fair, carnival, or outdoor governmentally sponsored event or festival lighting.
 - (3) Construction or emergency lighting, provided such lighting is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.
 - (4) *Temporary lighting.* In addition to the lighting otherwise permitted in this code, a lot may contain temporary lighting during events as listed below:
 - (a) *Grand opening event.* A grand opening is an event of up to 30 days duration within 30 days of issuance of a Certificate of Occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the City in writing of the beginning and ending dates prior to the grand opening event.
 - (b) *Other events.* A lot may have two other events per calendar year. The events may not be more than eight consecutive days duration, nor less than 30 days apart.
 - (5) Lighting activated by motion sensor devices.
 - (6) Non-conforming lighting in place as of September 5, 2000. Replacement of non-conforming lighting is subject to the requirements of §§ 151.140 through 151.149.

151.587 Alternative Materials and Methods of Construction, Installation, or Operation

The provisions of this section are not intended to prevent the use of any design, material, or methods of installation or operation not specifically prescribed by this section, provided any such alternate has been approved by the Director. Alternatives must be an approximate equivalent to the applicable specific requirement of this section, and must comply with all other applicable standards in this section.

151.588 Requirements

- (A) General requirements: All zoning districts.
- (1) Low level light fixtures include exterior lights which are installed between ground level and six feet tall. Low level light fixtures are considered nonintrusive and are unrestricted by this code.
 - (2) Medium level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium level light fixtures must either comply with the shielding requirements of division (B) below, or the applicant shall show that light trespass from a property has been designed not to exceed 0.5 foot-candle at the property line.
 - (3) High level light fixtures include exterior lights which are installed 15 feet or more above ground level. High level light fixtures must comply with the shielding requirements of (B) below, and light trespass from a property may not to exceed 0.5 footcandle at the property line.
- (B) Table of shielding requirements:

Fixture Lamp Type	Shielded
Low/High Pressure Sodium, Mercury Vapor, Metal Halide and Fluorescent over 50 watts.	Fully
Incandescent over 160 watts	Fully
Incandescent 160 watts or less	None
Fossil Fuel	None
Any light source of 50 watts or less	None
Other Sources	As approved by § 151.587
Note: Incandescent includes tungsten-halogen (quartz) lamps	

9. City of Oregon City, OR ...

17.52.030 Off-Street Parking and Loading Design Review
 Artificial lighting which may be provided shall enhance security, be appropriate for the use, and avoid adverse impacts on surrounding properties and the night sky through appropriate shielding. The lighting shall not cause a measurement in excess of 0.5 foot-candles of light on other properties.

17.62.050 Site Plan and Design Review Standards
 Outdoor lighting shall be provided in a manner that enhances security, is appropriate for the use, and avoids adverse impacts on surrounding properties. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 foot-candles of light.

17.62.055 Institutional and Commercial Building Standards
 Building design shall contribute to the uniqueness of the underlying zoning district by applying appropriate materials, elements, features, color range and activity areas tailored specifically to the site and its context.

10. City of Portland, OR ...

33.120.255 Pedestrian Standards
 On-site pedestrian circulation system must be lighted to a level where the system can be used at night by the employees, residents, and customers.

33.203.040 Home Occupation Site-Related Standards
 Internal or external changes which will make the dwelling appear less residential in nature or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting.

33.262.080 Glare
 A. Glare standard. Glare is illumination caused by all types of lighting and from high temperature processes such as welding or metallurgical refining. Glare may not directly, or indirectly from reflection, cause illumination on other properties in excess of a measurement of 0.5 foot candles of light.

B. Strobe lights. Strobe lights visible from another property are not allowed.

33.262.090 Measurements

A. Measurements for compliance with these standards are made from the property line or within the property of the affected site. Measurements may be made at ground level or at habitable levels of buildings.

B. If the City does not have the equipment or expertise to measure and evaluate a specific complaint, it may request assistance from another agency or may contract with an independent expert to perform such measurements. The City may accept measurements made by an independent expert hired by the controller or operator of the off-site impact source. If the City contracts to have measurements made and no violation is found, the City will bear the expense, if any, of the measurements. If a violation is found, City expenses will be charged to the violator. Nonpayment of the costs is a violation of the Code, and enforced through the provisions of Title 22.

33.430.140 General Development Standards (Environmental Zones)

Exterior lights must be spaced at least 25 feet apart. Incandescent lights exceeding 200 watts (or other light types exceeding the brightness of a 200-watt incandescent light) must be placed so they do not shine directly into resource areas.

11. City of Salem, OR ...

130.550 General Development Standards Exterior Lighting

Exterior lighting shall be designed to provide illumination to the site and not cause glare onto the public right-of-way or outside the subject property. Exterior light fixtures shall be so located and designed that the light source, viewed by an observer five feet above the ground at five feet outside the boundary of the property, shall within 50 feet of the base of the light or a point at the ground immediately below the light, be either:

- (a) Completely shielded from direct view, or
- (b) No greater than five foot-candles.

12. City of Sherwood, OR ...

16.154 Heat and Glare

Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall not cause such glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.

13. City of Tigard, OR ...

18.360.090 Site Development Review Approval Criteria (multi-family)

- The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and

- Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.

18.520.060 Development/Design Guidelines in the C-C zone

- All lighting fixtures shall incorporate cut-off shields to prevent the spillover of light to adjoining properties; and
- Site features such as fences, walls, refuse and recycling facility enclosures, and light fixtures shall be designed to be consistent with the scale and architectural design of the primary structure(s). Such site features shall be designed and located to contribute to the pedestrian environment of the site development.

18.765.040 Off-Street Parking and Loading General Design Standards

- Lights providing to illuminate any public or private parking area or vehicle sales area shall be arranged to direct the light away from any adjacent residential district.

18.765.060 Parking Structure Design Standards

- Parking structures must comply with all standards of the Uniform Building Code for the State of Oregon as it pertains to structural design, ventilation, lighting and fire/safety requirements and disabled accessibility.

14. City of Tualatin, OR ...

73.130 Standards (multi-family)

An outdoor lighting system shall be provided which facilitates police observation and resident observation through strategic location, orientation and brightness without being obtrusive (i.e., shining into residential units).

73.160 Standards

- Provide lighting in a manner which enables tenants, employees and police to watch over pedestrian, parking and loading areas.
- Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way.
- Provide lighting at transit stops.

73.380 Off-Street Parking Lots

- Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-of-way in such a manner as to impair the use of such way.