

ORDINANCE NO. 712

AN ORDINANCE ADOPTING A NEW CHAPTER OF THE TROUTDALE MUNICIPAL CODE, 8.26, OUTDOOR LIGHTING

THE CITY COUNCIL FINDS:

1. Outdoor lighting in places where public health, safety and welfare are potential concerns should preserve a safe and secure environment, while providing as uniform a lighting pattern as possible.
2. Outdoor lighting should limit glare on public roadways and promote traffic safety.
3. Outdoor lighting should conserve energy while maintaining nighttime safety, utility, security and productivity.
4. Outdoor lighting should be minimized to avoid obtrusive and unnecessary light from shining on nearby properties.
5. In furtherance of the above objectives, and the general health, safety, and welfare of the city, outdoor lighting will be regulated in the City of Troutdale.

Now, therefore,

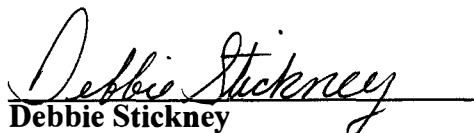
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Title 8 of the Troutdale Municipal Code is amended to add a new chapter, 8.26, Outdoor Lighting, to read as set forth in the attached Exhibit A.

| | |
|-------------------|----------|
| YEAS: | <u>6</u> |
| NAYS: | <u>0</u> |
| ABSTAINED: | <u>0</u> |


Paul A. Thalhofer, Mayor

Dated: 10-10-01


Debbie Stickney
City Recorder

Adopted: October 9, 2001

1 **Chapter 8.26**
2 **Outdoor Lighting**

3
4 **8.26.005 Title.**

5 This chapter shall be known as
6 the City of Troutdale Outdoor Lighting
7 Ordinance.

8
9 **8.26.010 Purpose and Intent.**

10 The purpose of this chapter is to
11 affirm the right of citizens in Troutdale,
12 Oregon to illuminate residential, commercial
13 and public areas with outdoor light fixtures
14 appropriate to the need, and to confine
15 lighting to the property from which it is
16 generated to the greatest extent possible.
17 Furthermore, the purpose of this chapter is
18 to affirm the general need for well-lighted
19 streets and that such illumination by nature
20 cannot be confined to the property from
21 which it is generated.

22
23 **8.26.015 Definitions.**

24 As used in this chapter, unless
25 the context requires otherwise:

26 A. "Community Development Department"
27 means the Community Development
28 Department or designated representative(s)
29 for the purposes of this ordinance.

30 B. "Directed shield" or "direct shielding"
31 means shielding of a light fixture by design
32 or external application that directs light
33 downward and limits direct line-of-sight of a
34 fixture's lamp to the property upon which
35 the fixture is located.

36 C. "Director" means the director of the
37 Community Development Department for
38 the city or the director's authorized
39 representative.

40 D. "Exempt light fixtures" means outdoor
41 artificial illuminating devices that are
42 exempted by section 8.26.085.

43 E. "Flood light or spot light" means any
44 light fixture or lamp that incorporates a
45 reflector or a refractor to concentrate the
46 light output into a directed beam in a
47 particular direction.

48 F. "Height of fixture" means the vertical
49 distance from the ground directly below the

50 centerline of the fixture to the lowest direct-
51 light emitting part of the fixture.

52 G. "High intensity discharge lamp sources"
53 means high pressure sodium, mercury vapor,
54 metal halide, low pressure sodium, and other
55 similar lamps.

56 H. "Horizontal plane" means the plane
57 comprising the lowest portion of a shielded
58 light fixture.

59 I. "Installed" means installation of
60 outdoor light fixtures following the effective
61 date of this ordinance. Projects with
62 approved construction plans prior to the
63 effective date of this ordinance are excluded
64 from compliance with the ordinance in the
65 initial installation only.

66 J. "Luminous tube lighting" means gas-
67 filled tubing which, when subjected to high
68 voltage, becomes luminescent in a color
69 characteristic of the particular gas used, e.g.,
70 neon, argon, etc.

71 K. "Outdoor light fixtures" means outdoor
72 artificial illuminating devices, outdoor
73 fixtures, lamps and other similar devices,
74 permanently installed or portable, used for
75 flood lighting, general illumination or
76 advertisement. Such devices shall include,
77 but are not limited to, search lights, spot
78 lights and flood lights for:

- 79 1. buildings and structures
- 80 2. recreational areas
- 81 3. parking lot lighting
- 82 4. landscape lighting
- 83 5. externally lighted signs
- 84 6. street lighting
- 85 7. product display area lighting

86 8. building overhangs and open canopies
87 L. "Shield" or "shielding" means an
88 externally applied device such as a shroud or
89 hood of metal, wood or painted glass that
90 does not allow transmission of light.

91 M. "Street light" means an outdoor light
92 fixture located within the public right-of-
93 way for the purpose of illuminating a public
94 street.

95 N. "Temporary outdoor lighting" means the
96 illumination of a specific outside area or
97 object by any manmade device located
98 outdoors that produces light by any means
99 for a period of less than seven days, with at

1 least 180 days passing before being used
2 again to illuminate the same outside area or
3 object.

4 O. "Unshielded" means light fixtures
5 lacking any means to restrict the emitted
6 light to below the horizontal plane.

7
8 **8.26.020 Conformance with applicable**
9 **codes.**

10 All outdoor light fixtures shall be
11 installed in conformance with the provisions
12 of this chapter, the building code, the
13 electrical code, and the sign code of the city.
14 No provision of this chapter is intended to
15 preempt applicable state codes.

16
17 **8.26.025 Approved materials and**
18 **methods of construction or**
19 **installation/operation.**

20 The provisions of this chapter are
21 not intended to prevent the use of any
22 design, material, or method of installation or
23 operation not specifically prescribed by this
24 chapter, provided any such alternative has
25 been approved. The director may approve
26 any such proposed alternative that provides
27 an equivalent alternative design or operation
28 of outdoor light fixtures that meet the
29 purpose and intent of the regulations of this
30 chapter.

31
32 **8.26.030 Requirements for installation**
33 **of outdoor lighting.**

34 The installation of outdoor light
35 fixtures shall be subject to the provisions of
36 this ordinance, except as exempted herein.
37 The only provisions applicable to street
38 lights are those in section 8.26.065.

39
40 **8.26.035 Shielding.**

41 All nonexempt outdoor light
42 fixtures, other than street lights, shall have
43 shielding as set forth in Table A.

44
45 **8.26.040 Height restriction.**

46 A. No outdoor light fixture shall exceed 25
47 feet in height.

48 B. For commercial, industrial, or
49 institutional developments abutting
50 residentially zoned property, the maximum

51 height of an outdoor light fixture located
52 within 50 feet of any property line abutting
53 the residential zone shall be 15 feet.

54 C. Outdoor light fixtures used to illuminate
55 athletic fields, stadiums, race tracks and
56 similar outdoor recreational facilities shall
57 be exempt from the provisions of this
58 section.

59
60 **8.26.045 Maximum light level.**

61 For commercial, industrial,
62 institutional or apartment residential
63 developments abutting residentially zoned
64 property, the light level emitted from
65 outdoor light fixtures associated with the
66 development shall not exceed 0.5 foot-
67 candles measured at any point along a
68 common property line between the
69 development and the abutting residentially
70 zoned property.

71
72 **8.26.050 Submission of lighting plans**
73 **and evidence of compliance for new**
74 **development.**

75 A. All proposed development, other than a
76 detached single-family dwelling, that
77 includes outdoor light fixtures shall submit a
78 lighting plan in compliance with this chapter
79 as part of any required application for land
80 use approval. The plan shall include, but is
81 not limited to, the following, all or part of
82 which may be in addition to the information
83 required with the application for the land use
84 approval:

85 1. Plans showing the location on the
86 premises of all outdoor light fixtures and the
87 type of light fixtures, lamps, supports,
88 reflectors and other devices that may be part
89 of or related to any part of an outdoor light
90 fixture.

91 2. Descriptions of the light fixtures, lamps,
92 supports, reflectors and other devices. The
93 description may include, but is not limited
94 to, catalog cuts by manufacturers and
95 drawings.

96 3. The wattage for each light fixture.

97 4. A photometric report containing a
98 numerical grid of light levels, measured in
99 tenths of foot-candles, that the fixtures will
100 produce on the ground. For developments

**TABLE A
SHIELDING REQUIREMENTS**

| Lamp Type | Wattage | | | | | | | | |
|----------------------|------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | 25 | 30 | 35 | 40 | 50 | 60 | 75 | 100 | 110 or more |
| Low Pressure Sodium | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| High Pressure Sodium | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Metal Halide | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Fluorescent | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Quartz Halogen | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Tungsten Halogen | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Mercury Vapor | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield | Directed Shield | Directed Shield | Directed Shield |
| Incandescent | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Unshielded | Directed Shield |

1. Wattage ratings for lamp types will be for either a single lamp source or multiple lamp sources when installed in a cluster.
2. Lamp types not listed in the table may be approved for use by the director provided installation of these lamps and operation of the light fixture meets the purpose and intent of the regulations of this chapter.
3. Glass tubes filled with argon, neon or krypton do not require shielding.

1 subject to the maximum light levels of
2 section 8.26.045, the numerical grid shall
3 include light level measurements at property
4 lines abutting residentially zoned property.

5 5. For light fixtures requiring direct
6 shielding, photometric data, or similar data
7 showing the angle of cut off or line of sight
8 of the fixture's lamp in relation to the
9 property's boundaries.

10 B. Additional submission. The above
11 required plans, descriptions and data shall be
12 sufficiently complete to enable the director
13 to readily determine compliance with the
14 requirements of this chapter. If the director
15 is unable to determine compliance with the
16 requirements of this chapter from the plans,
17 descriptions and data initially submitted by
18 an applicant as required by this section, the
19 director may require the applicant to submit
20 additional information as is necessary to
21 make such a determination. Additional
22 information may include certified reports of
23 tests performed by a recognized testing
24 laboratory.

25 C. Any proposed detached single-family
26 dwelling that includes a light fixture subject
27 to the shielding requirements of section
28 8.26.035 shall submit a lighting plan as part
29 of the electrical permit application.

30
31 **8.26.055 Installing new light fixture**
32 **within existing developments.**

33 A. No new outdoor light fixture shall be
34 installed within an existing developed
35 property without first obtaining an electrical
36 permit. Except for detached single-family
37 dwellings, a lighting plan for a new outdoor
38 light fixture shall be submitted as part of the
39 electrical permit application. The lighting
40 plan shall consist of the information
41 described in section 8.26.050 of this chapter.

42 B. No new outdoor light fixtures subject to
43 the shielding requirements of section
44 8.26.035 shall be installed in conjunction
45 with an existing detached single-family
46 dwelling without submitting a lighting plan
47 as part of the electrical permit application.

48
49 **8.26.060 Replacement or relocation of**
50 **nonconforming light fixture.**

51 All outdoor light fixtures
52 lawfully installed prior to, and operable on,
53 the effective date of this chapter may
54 continue to be operated as nonconforming
55 light fixtures. Any nonconforming light
56 fixture that is replaced or relocated must
57 meet the requirements of this chapter
58 according to the following procedures:

59 A. If the replacement or relocation of the
60 light fixture requires an electrical permit, a
61 lighting plan for the light fixture shall be
62 submitted along with the electrical permit
63 application.

64 B. If the replacement or relocation of the
65 light fixture does not require an electrical
66 permit, application for a development permit
67 from the director shall be made. A lighting
68 plan for the light fixture shall be submitted
69 as part of the development application.

70 C. A lighting plan required under this
71 section shall consist of the information
72 described in section 8.26.050 of this chapter.

73 D. A lighting plan shall only be required of
74 a detached single-family dwelling when the
75 replacement or relocated outdoor light
76 fixture is subject to the shielding
77 requirements of section 8.26.035.

78
79 **8.26.065 Street lights.**

80 A. Street lights shall have a cutoff type light
81 fixture so that the cutoff angle of light rays
82 emitted by the lamp, light source or
83 luminaire is 90 degrees or less. In
84 determining the cutoff angle, street lights on
85 hills should be adjusted to provide as
86 uniform a lighting pattern as possible. The
87 light fixture may be oriented so that its
88 cutoff angle is measured perpendicular to
89 the grade line of the street rather than level
90 with the ground beneath the fixture. The
91 cutoff angle is formed by a line drawn from
92 the direction of light rays at the light source
93 to the grade line of the street.

94 B. Decorative style street lights shall be
95 exempt from the provisions of this section.

96
97 **8.26.070 Variance**

98 A variance may be obtained from
99 the provisions of this chapter. A variance
100 shall be sought under this section in

1 accordance with the procedures contained in
 2 Troutdale Development Code Chapter
 3 6.200.

4
 5 **8.26.075 Prohibitions.**

6 Recreational facilities. No
 7 outdoor recreational facility, public or
 8 private, shall be illuminated after 11:00
 9 p.m., except to conclude a specific
 10 recreational or sporting event or any other
 11 similar activity conducted at or in the
 12 facility which was in progress under such
 13 illumination prior to 11:00 p.m., except that
 14 any outdoor recreational facility, public or
 15 private, which is illuminated with outdoor
 16 light fixtures conforming to this ordinance
 17 may operate any time with such
 18 illumination.

19
 20 **8.26.080 Externally lighted outdoor
 21 signs.**

22 All externally lighted signs shall
 23 comply with the standards in the Troutdale
 24 Development Code, Chapter 10, Signs, and
 25 the following provisions:

26 A. Top mounted fixtures shall conform to
 27 the shielding requirements as set forth in
 28 section 8.26.035.

29 B. Bottom mounted fixtures shall be
 30 shielded either by application of an external
 31 device or manufactured in such a way that
 32 upward and side directed light is confined to
 33 an area within four inches of the outermost
 34 surface of the sign's top and sides (Figure
 35 1). Shielding must be constructed in such a
 36 manner that no reflective surface of the
 37 lighting fixture will extend past the limit of
 38 the shielding in the vertical plane when
 39 viewed from directly above (Figure 2).

40
 41 **8.26.085 Exemptions.**

42 The following shall be exempt
 43 from the provisions of this ordinance:

44 A. All outdoor light fixtures lawfully
 45 installed prior to and operable on the
 46 effective date of this ordinance may
 47 continue to be operated as a nonconforming
 48 light fixture, except that all replacement or
 49 relocation of outdoor light fixtures, as of the

50 effective date of this ordinance, shall be
 51 subject to the provisions of this ordinance.

52 B. Fossil fuel light. All outdoor light
 53 fixtures producing light directly by the
 54 combustion of natural gas or other fossil
 55 fuels.

56 C. Airport operations lighting and aircraft
 57 navigational beacons as established by the
 58 Federal Aviation Administration. All other
 59 airport outdoor lighting must conform to the
 60 requirements of this ordinance.

61 D. Correctional institutions. Exterior
 62 lighting for county correctional institutions.

63 E. Lights used for holiday decorations.

64 F. Carnivals and fairs that require the use
 65 of temporary outdoor light fixtures except
 66 that permanent installations at dedicated
 67 sites must conform to the requirements of
 68 this ordinance.

69 G. Historical areas as designated by proper
 70 authority. Use of the minimum illumination
 71 necessary to maintain public safety in and
 72 around historical areas is encouraged.

73 H. Motion detector lights that operate
 74 automatically for periods of less than 10
 75 minutes.

76 I. U.S. flags displayed by top mounted
 77 lighting on a 24-hour basis.

78 J. Internally lighted signs.

79 K. Television or movie film production
 80 lighting except that permanent installations
 81 at dedicated sites must conform to the
 82 requirements of this ordinance.

83 L. Temporary outdoor lighting.

84 M. Construction lighting necessary for an
 85 allowed use except that permanent
 86 installations at dedicated sites must conform
 87 to the requirements of this ordinance.

88 N. Warning lights required by the Federal
 89 Aviation Administration atop
 90 telecommunication towers, water towers,
 91 smokestacks or similar vertical projections
 92 which are exempt from height limitations of
 93 the Troutdale Development Code.

94 O. Traffic lights.

95
 96 **8.26.090 Violations constitute public
 97 nuisance.**

98 Any outdoor light fixture erected,
 99 constructed, enlarged, altered, repaired,

FIGURE 1
TYPICAL EXTERNALLY ILLUMINATED OUTDOOR SIGN CONFIGURATION

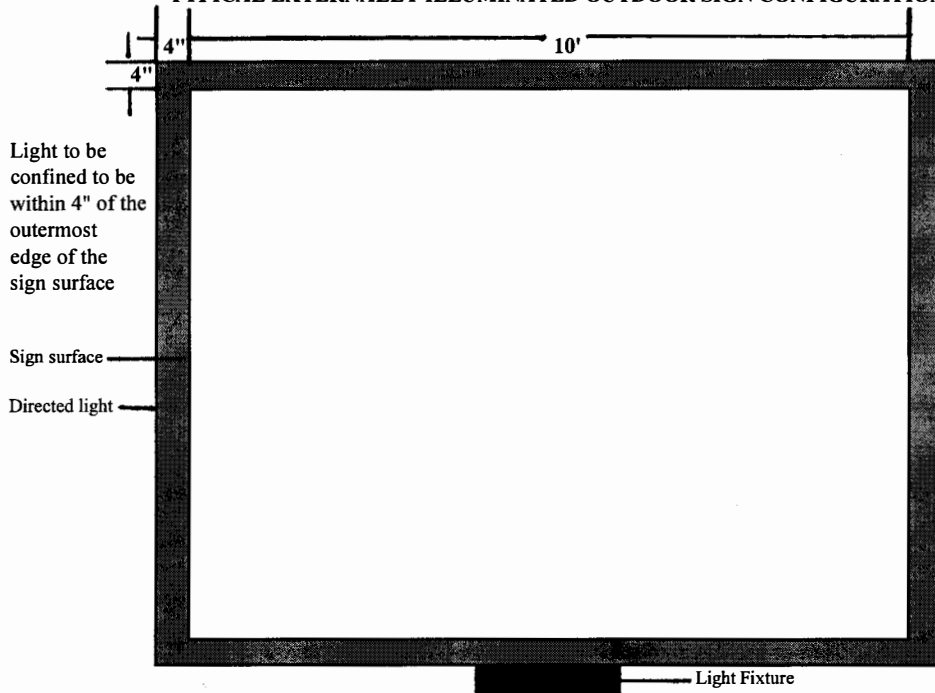
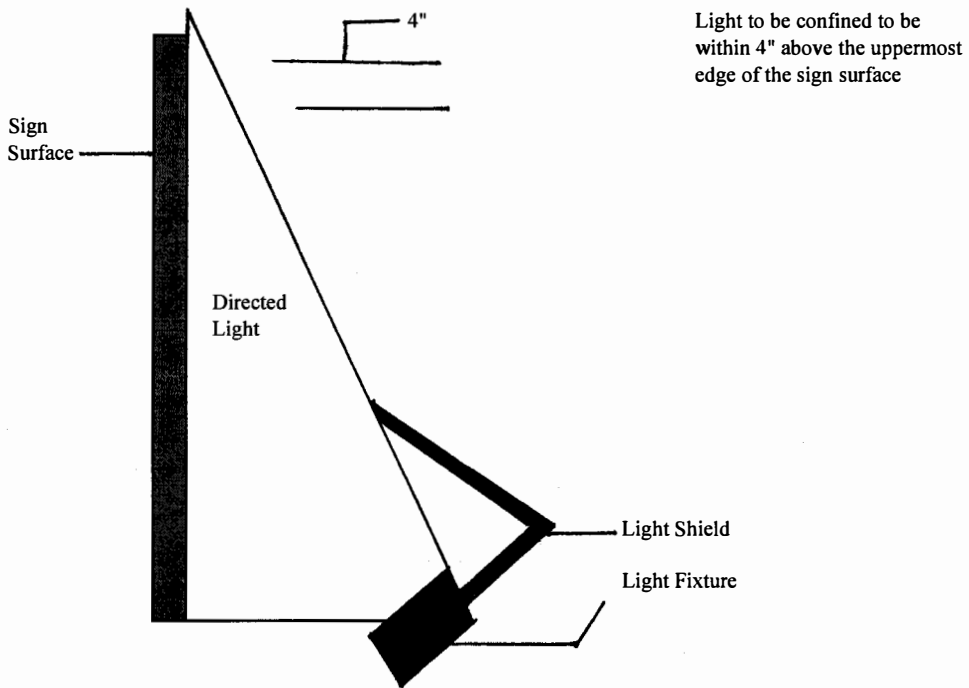


FIGURE 2
TYPICAL EXTERNALLY ILLUMINATED OUTDOOR SIGN CONFIGURATION



1 moved, improved, or converted, contrary to,
2 or in violation of, any provisions of this
3 ordinance shall constitute a nuisance. Failure
4 to comply with provisions of this ordinance
5 may result in nuisance abatement
6 proceedings under Chapter 8.28 of this code.