



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 12/08/2014
Jurisdiction: City of Florence
Local file no.: Ordinance 12, Series
DLCD file no.: 003-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/05/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was not submitted to DLCD prior to the first evidentiary hearing. The jurisdiction did not submit notice of the proposed amendment to DLCD because the jurisdiction determined that the statewide planning goals did not apply.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 003-14 {22575}
Received: 12/5/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Florence

Local file no.: **Ordinance 12, Series 2014**

Date of adoption: 12/1/2014

Date sent: 12/5/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted):

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

N/A

Local contact (name and title): Wendy FarleyCampbell

Phone: 541-997-8237

E-mail: wendy.farleycampbell@ci.florence.or.us

Street address: 250 Hwy 101

City: Florence

Zip: 97439-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

N/A

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from N/A to _____ acres. A goal exception was required for this change.
- Change from N/A to _____ acres. A goal exception was required for this change.
- Change from N/A to _____ acres. A goal exception was required for this change.
- Change from N/A to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): N/A

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres: N/A

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres: N/A

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Multiple-see attached

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from N/A to Acres:

Change from to Acres:

Change from to Acres:

Change from to Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: N/A Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: None

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

City of Florence adopted new and modified existing lighting regulations to implement dark sky principles.

**CITY OF FLORENCE
ORDINANCE NO. 12, SERIES 2014**

**IN THE MATTER OF LEGISLATIVE AMENDMENTS TO THE FLORENCE CITY CODE
TITLE 10 RELATING TO LIGHTING STANDARDS**

WHEREAS, the City Council established a goal in 2014 to implement dark sky lighting standards within the City of Florence;

WHEREAS, the City Council initiated amendments to implement lighting standards by motion on October 20, 2014;

WHEREAS, the City notified the Department of Land, Conservation and Development about the proposed code amendments and they stated that the DLCD 35 day notice was not required since no state goals were applicable;

WHEREAS, the Planning Commission held a work-session that was noticed and open to the public on the proposed code amendments on October 28, 2014;

WHEREAS, the City published a notice of hearing in the Siuslaw News on October 29th and November 5th, and posted the information on the web site and at City Hall prior to the Planning Commission conducting a public hearing On November 10, 2014;

WHEREAS, the Planning Commission closed the public hearing and deliberated to a decision for a recommendation to the City Council on November 10, 2014;

WHEREAS, the City published a notice of the City Council public hearing in the Siuslaw News on November 26th and 29th and posted the information to the web site and at City Hall prior to the City Council conducting a public hearing on December 1, 2014;

WHEREAS, the text amendments to Title 10 consolidate the lighting policies currently in code into one chapter, establish related definitions, and set equal standards for all districts;

WHEREAS, the City Council finds the text amendments are consistent with applicable criteria in Florence City Code, Realization 2020 Florence Comprehensive Plan, Oregon Administrative Rules and Oregon Revised Statutes;

NOW THEREFORE, THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

Section 1. Adopt the Findings of Fact (Exhibit A);

Section 2. Amend FCC, Title 10 Chapter 1, Zoning Administration (Exhibit B);

Section 3. Amend FCC, Title 10 Chapter 3, Off-Street Parking and Loading (Exhibit C);

Section 4. Amend FCC, Title 10 Chapter 4, Conditional Uses (Exhibit D);

- Section 5. Amend FCC, Title 10 Chapter 10, Restricted Residential District (Exhibit E);
- Section 6. Amend FCC, Title 10 Chapter 11, Single Family Residential District (Exhibit F);
- Section 7. Amend FCC, Title 10 Chapter 12, Mobile Home/Manufacture Home Regulations (Exhibit G);
- Section 8. Amend FCC, Title 10 Chapter 13, Multi-Family Residential District (Exhibit H);
- Section 9. Amend FCC, Title 10 Chapter 14, Neighborhood Commercial (Exhibit I);
- Section 10. Amend FCC, Title 10 Chapter 15, Commercial District (Exhibit J);
- Section 11. Amend FCC, Title 10 Chapter 16, Highway District (Exhibit K);
- Section 12. Amend FCC, Title 10 Chapter 17, Old Town District (Exhibit L);
- Section 13. Amend FCC, Title 10 Chapter 18, Marine District (Exhibit M);
- Section 14. Amend FCC, Title 10 Chapter 20, Limited Industrial District (Exhibit N);
- Section 15. Amend FCC, Title 10 Chapter 21, Public Use Airport Zone (Exhibit O);
- Section 16. Amend FCC, Title 10 Chapter 25, Professional Office/Institutional Zoning District (Exhibit P);
- Section 17. Amend FCC, Title 10 Chapter 27, Mainstreet District (Exhibit Q);
- Section 18. Amend FCC, Title 10 Chapter 28, Pacific View Business Park District (Exhibit R);
- Section 19. Amend FCC, Title 10 Chapter 29, Coast Village District (Exhibit S);
- Section 20. Amend FCC, Title 10 Chapter 30, North Commercial District (Exhibit T);
- Section 21. Amend FCC, Title 10 Chapter 31, Service Industrial District (Exhibit U);
- Section 22. Amend FCC, Title 10 Chapter 33, Telecommunications Facilities Overlay District (Exhibit V);
- Section 23. Amend FCC, Title 10 Chapter 35, Access and Circulation (Exhibit W);
- Section 24. Amend FCC, Title 10 Chapter 36, Public Facilities (Exhibit X);
- Section 25. Add FCC, Title 10 Chapter 37, Lighting (Exhibit Y);
- Section 26. Pursuant to FCC 10-1-2-3, the zoning established by this Ordinance will take effect 30 days from the date approved.

Passed by the Florence City Council this 1st day of December, 2014.

AYES	5	- Councilors Roberts, Jagoe, Greene, Henry and Mayor Xavier
NAYS	0	
ABSTAIN	0	
ABSENT	0	

APPROVED BY THE MAYOR, this 1st day of December, 2014.


Nola Xavier, MAYOR

ATTEST:


Kelli Weese, CITY RECORDER

Exhibit A
FINDINGS OF FACT
CITY OF FLORENCE ORDINANCE 12, SERIES 2014

I. PROPOSAL

LEGISLATIVE CODE AMENDMENT – RESOLUTION PC 14 18 TA 02: proposing zoning code text amendments to FCC Title 10, to make existing lighting code consistent and implement lighting regulations that address light nuisances. The specific amendments are presented in Exhibits B through Y and are summarized as follows:

- Provides definitions for common lighting terms;
- Standardizes existing lighting policies into industry standard policy language;
- Provides lighting design & illumination standards applicable for all zoning districts;
- Identifies exemptions and prohibitions;

II. BACKGROUND

On January 6, 2014 the Florence City Council adopted their 2014 Council Goals. Council goals are used to set priorities, direct work activities, and allocate staff and financial resources. This proposal addresses Goal 9: “Implement “Dark Sky” Lighting Regulations”. Dark Sky lighting regulations focus on eliminating glare and light trespass through bulb shielding, reducing light clutter by targeted light fixture placement (right light for the right job), and reducing energy waste by supporting LEDs, and the use of timers, dimmers, and sensors.

Over the course of the last 15 years seven new zoning districts and nine new areas of design regulation have been added to Title 10. Most of these actions occurred to implement the policies adopted by the Florence City Council during periodic review. Periodic review is a long process and due to the gradual implementation of the new zoning districts and design guidelines the lighting language and criteria vary between districts. Additionally, the older zoning districts do not address lighting at all as they have seen relatively little change since the 1980’s, over 30 years ago.

The lighting criteria in Title 10 are inconsistent and words and phrases while understandable are outdated or general and subject to interpretation. However, the presence of the policies demonstrates that the city had a clear interest in regulating lighting to prevent nuisances to adjoining properties, provide safe traffic movement on adjoining streets, and even prevent night sky pollution. Clarifying this intent can be made by adding industry standard definitions and regulations.

The most recently adopted lighting ordinance requires lighting in parking lots and bicycle parking areas. These criteria, because newer, are the most prescriptive by limiting lighting fields, directing light fixtures downward, shielding glare and limiting light usage,

The preparation of this report was made possible in part through financial assistance provided by the Coastal Zone Mgt. Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, through a grant to the Dept. of Land Conservation and Development.

excepting for security, to business hours. These lighting regulations while not intended at the time are typical of dark sky policies. Defining the terminology, expanding the policies, and establishing applicable timelines to other applications besides parking is the overall goal of this proposal.

On October 20, 2014 the Florence City Council initiated amendments to Title 10 and directed staff to prepare Planning Commission for the first evidentiary hearing. This type of land use decision is legislative and required a public hearing before the Planning Commission, who made a recommendation to the City Council on November 10, 2014. The Council then held another public hearing prior to making the final decision on the proposal on December 1, 2014.

III. NOTICE AND REFERRALS

1. Notice:

DLCD notice is not required per ORS 197.610 (5). *“(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.”*

Notice of the Planning Commission and City Council public hearings was published in the October 29th, November 5th, 26th and 29th editions of the Siuslaw News. As of this writing, one comment had been received.

Kepler, Sam, October 23, 2014: Indicated concerns for darkening the streets, and regulating safety lighting on his home.

2. Referrals:

On November 4rd referrals were sent to Central Lincoln PUD; Florence Code Enforcement, Florence Building Official, Florence Police Department, Florence Public Works Department, Siuslaw Valley Fire & Rescue, Oregon Department of Fish and Wildlife.

As of the writing of these findings only Central Lincoln PUD had responded stating they were preparing to test new street light fixtures but were a few years out from implementation. They will make the changes district wide. (The code exempts street lighting at this time)

IV. APPLICABLE CRITERIA

1. Florence City Code (FCC) Title 10: Zoning Regulations

- Chapter 1, Zoning Administration:

Section 1-3 Amendments and Changes:
Section C Legislative Changes

2. **Florence Realization 2020 Comprehensive Plan**
 - Chapter 1: Citizen Involvement: Policies 4 and 5
 - Chapter 13: Energy Facilities and Conservation: Policy 1
3. **Oregon Revised Statutes**
ORS 197.610

V. FINDINGS

The criteria are listed in bold followed by the proposed findings of fact

Florence City Code (FCC)

Title 10 Zoning Regulations, Chapter 1 Zoning Administration

10-1-3: AMENDMENTS AND CHANGES:

- A. **Purpose: As the Comprehensive Plan for the City is periodically reviewed and revised, there will be a need for changes of the zoning district boundaries and the various regulations of this Title. Such changes or amendments shall be made in accordance with the procedures in this Section.**
- B. **Legislative Changes:**
 1. **Initiation: A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission, or by a request of the Council to the Planning Commission that proposes changes to be considered by the Commission and its recommendation returned to the Council, or by an application for an amendment by a citizen.**
 2. **Notice and Public Hearing. Such notice and hearing as prescribed by state law and the Comprehensive Plan then in effect.**

Finding: The proposed amendments are legislative changes and consistent with this criterion because the City Council initiated the amendments at a regularly scheduled meeting held on October 20, 2014. Notice of the public hearing was made in accordance with state laws as mentioned earlier in the report.

Chapter 1: Citizen Involvement

Citizen Involvement Goal: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Policies:

- 4. Official City meeting shall be well publicized and held at regular times. Agendas will provide the opportunity for citizen comment.**

Finding: This policy is met. The proposed code amendments are consistent with this policy because the notice of the Planning Commission public hearing was noticed in the paper 10 days prior to the hearing as required by state law, published in the Siuslaw News on both October 29 and November 5, 2014. The City also keeps the City's website up to date on when the city meetings are held and materials for the Planning Commission meetings are posted on the website a week prior to the meeting. The agendas are also posted in City Hall.

- 5. Records of all meetings where official action is taken shall be kept at City Hall and made available on request to the public.**

Finding: The proposal for these actions is consistent with this policy because minutes of all meetings are kept at City Hall, posted on the City web site and made available on request to the public.

- 6. Planning documents and background data shall be available to interested citizens.**

Finding: The proposal for these actions is consistent with this policy because the resolution, staff report and proposed code amendments were available on November 3rd, seven days prior to the public hearing as well as posted on the City web site.

Chapter 13: Energy Facilities and Conservation

Policy:

- 1. Energy conservation shall be considered when services are extended and public facilities are upgraded.**

Finding: The proposal is consistent with this policy because code is proposed to incorporate energy efficient lighting into new subdivisions and to change existing street lighting fixtures and/or lamps when upgrades are made.

Oregon Revised Statutes (ORS)

The section of State statute that relates to the proposed amendments is listed below with findings to address consistency with the State law.

ORS 197.610: Local Government Notice of Proposed Amendment or New Regulation; Exceptions; Report to Commission.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

Finding: The proposal is consistent with ORS 197.610(5) because there are no goals, rules or statutes that apply to lighting regulations. Therefore notice to DLCD was not provided as required under ORS 197.610(1).

VI. CONCLUSION

The proposed amendments to the Florence City Code Title 10 are consistent with the applicable criteria in the Florence Realization 2020 Comprehensive Plan, Florence City Code, and Oregon Revised Statutes, based on the findings.

**TITLE 10
CHAPTER 1**

ZONING ADMINISTRATION

10-1-4: DEFINITIONS:

LIGHTING – Refer to Chapter 37 of this Title for all definitions related to lighting regulations.

Amended by Ord. No. 15, Series 1988

Amended by Ord. No. 18, Series 1990

Amended by Ord. No. 30, Series 1990

Amended by Ord. No. 7, Series 1994

Amended by Ord. No. 13, Series 2002

Amended by Ord. No. 15, Series 2002

Amended by Ord. No. 26, Series 2008 – See Exhibit B

Amended by Ord. No. 10, Series 2009 – See Exhibit C

Amended by Ord. No. 9, Series 2009 – See Exhibit G

Amended by Ord. No. 4, Series 2010 – See Exhibit C (effective 4-5-10)

Amended by Ord. No. 2, Series 2011 (effective 3-11-11)

Sections 10-1-1-4, 10-1-1-5, and 10-1-4 Amended by Ord. No. 4, Series 2011 – See Exhibit 4E (effective 4-22-11)

Section 10-1-4 “Dwelling” & “Recreational Vehicle” Amended by Ord. No. 21, Series 2011 – See Exhibit C (effective 1-5-12)

Section 10-1-1-4-D, 10-1-1-5-B-1-a and 10-1-1-6-D-1-a Amended by Ord. No. 5, Series 2012 – See Exhibit C (effective 1-16-13)

Section 10-1-1-6, 10-1-1-7, and 10-1-5 Amended by Ord. No. 3, Series 2013 – See Exhibit B (effective 7-31-13)

Section 10-1-4 Amended by Ord. No. 2, Series 2013 (effective 10-5-13)

Section 10-1-4 “Lighting” Amended by Ord. No. 12, Series 2014

TITLE 10
CHAPTER 3

OFF-STREET PARKING AND LOADING

10-3-8: PARKING AREA IMPROVEMENT STANDARDS:

G. Lighting: ~~Refer to Section 10-37 of this Title for requirements. (Lighting should provide a safe level of illumination and be designed as not to become a nuisance to residential area or cause glare to drivers.) Except for single family and duplex dwellings, applicants shall submit a lighting plan which shows the location, type and projected amount of light at night. The plan shall also address the following policies for design review. The following policies also apply to the replacement of lighting fixtures within parking lots.~~

~~1. Illumination: Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) foot-candles over parking spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.~~

~~2. Glare: Light fixtures shall be directed downward. Direct glare and reflection shall be fully shielded to prevent lighting spillover into any adjacent residential district or use.~~

~~3. Height: Lighting Standards in parking lots in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.~~

~~4. Times: Main lights shall be extinguished at closing of business with a minimum lighting remaining for security after hours.~~

10-3-10: BICYCLE PARKING REQUIREMENTS: All new development that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.

F. **Lighting.** For security, bicycle parking shall be at least as well lit as vehicle parking. Refer to Section 10-37 of this Title for requirements.

Amended by Ordinance No. 15, Series 1988
Amended by Ordinance No. 12, Series 1994
Amended by Ordinance No. 19, Series 1994
Amended by Ordinance No. 14, Series 1995
Amended by Ordinance No. 2, Series 2000
Section 10-3-8 amended by Ordinance No. 9, Series 2009
Sections 10-3-4-C, and 10-3-11-F amended by Ordinance No. 4, Series 2011 effective 4-22-11
Section 10-3-2-I added, and Section 10-3-9 amended by Ordinance No. 18, Series 2011 effective 9-16-11
Section 10-3-3 and 10-3-10 amended by Ordinance No. 5, Series 2012 effective 1-16-13
Section 10-3-8 and 10-3-9 amended by Ordinance No. 3, Series 2013 effective 7-31-13
Sections 10-3-8-G and 10-3-10-F amended by Ord. No. 12, Series 2014

Exhibit D

TITLE 10 CHAPTER 4

CONDITIONAL USES

10-4-12: ADDITIONAL CONDITIONS:

D. Service Stations: as used herein, service station means a facility designed to provide fuel and automotive services for passenger-type vehicles. Truck stops or service centers will be treated separately and distinctly from service stations.

6. Hazards and Nuisances: Noise ~~and lighting~~ shall be controlled so as not to exceed the normal ground level of adjacent uses. Lighting shall be in accordance with Section 10-37 of this Title. ~~reflected away from adjoining properties and shall not cause a traffic hazard by blinding, distracting or confusing traffic.~~

Sections: 10-4-4; 10-4-6; 10-4-7 Amended by Ord. 26, 2008

Section: 10-4-11-F: July, 2009 (housekeeping)

Section 10-4-11 amended by Ord. No. 9, Series 2009

Section 10-4-11 amended by Ord. No. 4, Series 2010 (effective 4/5/10)

Sections 10-4-3-B, 10-4-11-D-3, and 10-4-11-D-5 amended, AND Section 10-4-10-D deleted and subsequent sections renumbered by Ordinance No. 4, Series 2011 (effective 4/22/11)

Section 10-7-7 amended; sections 10-4-2 and 10-4-7-B added; and subsequent sections renumbered by Ord. No. 3, Series 2013 – See Exhibit B (effective 7-31-13)

Section 10-4-12-D-6 amended by Ord. No. 12, Series –2014

Exhibit D

**TITLE 10
CHAPTER 10**

RESTRICTED RESIDENTIAL DISTRICT

SECTION

10-10-5: SITE DEVELOPMENT PROVISIONS:

| I. Lighting: Refer to Section 10-37 of this Title for requirements

Amended by Ordinance No. 15, Series 1988

Amended by Ordinance No. 3 , Series 1999

Section 10-10-5 B,C,E - Amended by Ordinance No. 26, Series 2008

Section 10-10-5 amended by Ordinance No. 9, Series 2009

Section 10-10-3 B – Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Section 10-10-5-D-E – Amended by Ord. No. 4, Series 2011 – effective April 22, 2011

Section 10-10-5-D amended by Ord. No. 3, Series 2013 – effective 7-31-13

| Section 10-10-5-I amended by Ord. No. 12, Series 2014– effective

**TITLE 10
CHAPTER 11**

SINGLE FAMILY RESIDENTIAL DISTRICT (RS)

SECTION

10-11-5: SITE DEVELOPMENT PROVISIONS:

| I. Lighting: Refer to Section 10-37 of this Title for requirements

Amended by Ordinance No. 15, Series 1988

Amended by Ordinance No. 7, Series 1994

Amended by Ordinance No. 13, Series 2002

Section 10-11-5 B, C, E - Amended by Ordinance No. 26, Series 2008

Section 10-11-5 Amended by Ordinance No. 9, Series 2009

Section 10-11-3 J – Amended by Ordinance No. 2, Series 2011 – effective March 11, 2011

Section 10-11-5-E – Amended by Ordinance No. 4, Series 2011 – effective April 22, 2011

Section 10-11-5-D – Amended by Ordinance No. 3, Series 2013 – effective 7-31-13

| Section 10-11-5-I amended by Ord. No. 12, Series 2014 – effective

TITLE 10
CHAPTER 12

MOBILE HOME/MANUFACTURED HOME REGULATIONS

10-12-1: MOBILE HOME/MANUFACTURED HOME RESIDENTIAL DISTRICT (RMH):

10-12-1-5: SITE DEVELOPMENT PROVISIONS:

L. Lighting: Refer to Section 10-37 of this Title for requirements

10-12-3: MOBILE HOME/MANUFACTURED HOME PARKS:

10-12-3-2: DESIGN STANDARDS: The following standards and requirements shall govern the application of a mobile home/manufactured home park development in an area in which it is permitted:

J. ~~Adequate s~~Street lighting shall be provided within the park in accordance with Section 10-36. All other lighting in the park to include that provided for and on residential and accessory structures shall be provided in accordance with Section 10-37 of this Title.

Amended by Ord. No. 18, Series 1990

Section 10-12-3-4 C, Amended by Ord. No. 26, Series 2008

Sections 10-12-1-5 and 10-12-2-2 Amended by Ord. No. 9, Series 2009

Section 10-12-1-3 Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Sections 10-11-5-E and 10-12-3-6-O Amended by Ord. No. 4, Series 2011 – effective April 22, 2011

Section 10-12-2-3 deleted by Ord. No. 21, Series 2011 – effective Jan. 5, 2012

Section 10-12-1-5-D amended by Ordinance No. 3, Series 2013 – effective 7-31-13

Sections 10-12-1-5-L & 10-12-3-2-J amended by Ord. No. 12, Series 2014 – effective

**TITLE 10
CHAPTER 13**

MULTI-FAMILY RESIDENTIAL DISTRICT (RM)

10-13-5: SITE AND DEVELOPMENT PROVISIONS:

| [K. Lighting: Refer to Section 10-37 of this Title for requirements](#)

Section 10-13-5 C, D, H - Amended by Ord. 26, Series 2008

Sections 10-13-2, 10-13-4 and 10-13-5 Amended by Ord. No.9 Series 2009

Sections 10-13-3, 10-13-5-I, Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Section 10-13-5-H Amended by Ord. No. 4, Series 2011 – effective April 22, 2011

| [Section 10-13-5-K amended by Ord. No. 12, Series 2014 – effective](#)

TITLE 10
CHAPTER 14

NEIGHBORHOOD COMMERCIAL DISTRICT (NC)

10-14-5: SITE AND DEVELOPMENT PROVISIONS:

| H. Lighting: Refer to Section 10-37 of this Title for requirements

Section 10-13-5 C, D, H - Amended by Ord. 26, Series 2008
Sections 10-13-2, 10-13-4 and 10-13-5 Amended by Ord. No.9 Series 2009
Sections 10-13-3, 10-13-5-I, Amended by Ord. No. 2, Series 2011 – effective March 11, 2011
Section 10-13-5-H Amended by Ord. No. 4, Series 2011 – effective April 22, 2011
| Section 10-14-5-H amended by Ord. No. 12, Series 2014– effective

Exhibit I

**TITLE 10
CHAPTER 15**

COMMERCIAL DISTRICT (C)

10-15-5: SITE AND DEVELOPMENT PROVISIONS:

| [I. Lighting: Refer to Section 10-37 of this Title for requirements](#)

Amended by Ordinance No. 15, Series 1988

Section 10-15-5 D, E - Amended by Ordinance No. 26, Series 2008

Sections 10-15-4 and 10-15-5 Amended by Ordinance No. 9, Series 2009

Section 10-15-5-H added by Ordinance No. 2, Series 2011

Section 10-15-5 amended by Ordinance No. 4, Series 2011 (effective 4/22/11)

Section 10-15-2 and 10-15-3 amended by Ordinance No. 3, Series 2013, See Exhibit B (effective 7-31-13)

| [Section 10-15-5-I amended by Ord. No.12, Series 2014 – effective](#)

TITLE 10 CHAPTER 16

HIGHWAY DISTRICT (H)

10-16-5: DEVELOPMENT STANDARDS: The City may require any conditions it deems necessary to secure the purpose and intent of this Chapter. Such conditions may regulate and limit the following:

| D. Noise, vibration, smoke, dust, odor, lighting ~~intensity~~ and electrical interference.

10-16-7: DESIGN SPECIFICATIONS:

| O. Lighting: Refer to Section 10-37 of this Title for requirements

Amended by Ordinance No. 15 Series 1988

Section 10-16-7, F, G, L - Amended by Ordinance No. 26, Series 2008

Sections 10-16-5 and 10-16-7 Amended by Ord. No. 9, Series 2009

Section 10-16-7-N added by Ord. No. 2, Series 2011

Section 10-16-5-F, 10-16-7-F amended by Ord. No. 4, Series 2011 (effective 4/22/11)

Section 10-16-2-D added by Ordinance No. 3, Series 2013 (effective 7-31-13)

| Sections 10-16-5-D and 10-16-7-O amended by Ord. No. 12, Series 2014 – effective

Exhibit L

TITLE 10 CHAPTER 17

OLD TOWN DISTRICT

10-17A-4: SITE AND DEVELOPMENT PROVISIONS FOR AREA A:

I. Lighting: Street lighting, building lighting, and lighting of ~~interior~~ parking lots and walkways shall conform to the following lighting standards:

~~5. Light fixtures shall be placed to allow adequate illumination for safe pedestrian movement. Lighting plans shall show the illumination fields for each fixture. Refer to Section 10-37 of this Title for additional requirements.~~

10-17B-4: SITE AND DEVELOPMENT PROVISIONS FOR AREA B:

I. Lighting: Street lighting, building lighting, and lighting of ~~interior~~ parking lots and walkways shall conform to the following lighting standards:

~~5. Light fixtures shall be placed to allow adequate illumination for safe pedestrian movement. Lighting plans shall show the illumination fields for each fixture. Refer to Section 10-37 of this Title for additional requirements.~~

10-17C-4: SITE AND DEVELOPMENT PROVISIONS FOR AREA C:

I. Lighting: Street lighting, building lighting, and lighting of ~~interior~~ parking lots and walkways shall conform to the following lighting standards:

~~4. Light fixtures shall be placed to allow adequate illumination for safe pedestrian movement. Lighting plans shall show the illumination fields for each fixture. Refer to Section 10-37 of this Title additional requirements.~~

Established by Ord. No 1, Series 2008 – effective Feb. 4, 2008

Sections 10-17A-2, 10-17B-2, 10-17C-2, 10-17A-4, 10-17B-4 and 10-17C-4 Amended by Ord. No. 9, Series 2009

Sections 10-17B-3-E and 10-17C-3-E, Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Sections 10-17-A-4-G, 10-17-B-4-G, and 10-17-C-4-G amended by Ord. No. 4, Series 2011 – effective April 22, 2011

Sections 10-17A-2, 10-17A-4, 10-17B2, 10-17B-4, 10-17C-2, and 10-17C-4 amended by Ord. No. 3, Series 2013, see Exhibit B (effective 7-31-13)

Section 10-17A-4-E amended by Ordinance No. 4, Series 2014 – effective October 15, 2014

Sections 10-17-A-4-I-5, 10-17-B-4-I-5, and 10-17-C-4-I-4 amended by Ord. No. 12, Series 2014 – effective

**TITLE 10
CHAPTER 18**

MARINE DISTRICT

10-18-5: PROPERTY DEVELOPMENT STANDARDS:

| [N. Lighting: Refer to Section 10-37 of this Title for requirements](#)

Amended by Ordinance No. 15, Series 1988

Section 10-18-5, H, I - Amended by Ordinance No. 26, Series 2008

Section 10-18-5 amended by Ord. No. 9, Series 2009

Section 10-18-3 and 10-18-4 amended by Ord. No. 10, Series 2009

Section 10-18-5-I amended by Ord. No. 4, Series 2011 (effective 4/22/11)

| [Sections 10-18-5-N amended by Ord. No. 12, Series 2014– effective](#)

**TITLE 10
CHAPTER 20**

LIMITED INDUSTRIAL DISTRICT (LI)

10-20-5: SITE AND DEVELOPMENT PROVISIONS:

| [L. Lighting: Refer to Section 10-37 of this Title for requirements](#)

Amended by Ordinance No. 15, Series 1988

Section 10-20-5, D, E - Amended by Ordinance No. 26, Series 2008

Sections 10-20-4 and 10-20-5 Amended by Ord. No. 9, Series 2009

Sections 10-20-2, 10-20-3, 10-20-4, and 10-20-5 amended by Ord. 4, Series 2010 (effective 4/5/10)

Sections 10-20-5-F amended by Ord. 4, Series 2011 (effective 4/22/11)

| [Sections 10-20-5-L amended by Ord. No.12, Series 2014 – effective](#)

Exhibit O

TITLE 10 CHAPTER 21

PUBLIC USE AIRPORT ZONE

10-21-2: PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

10-21-2-7: LAND USE COMPATIBILITY REQUIREMENTS: Applications for zone changes and land use for properties within the boundaries of this overlay zone shall comply with the requirements of ORS 836 and this chapter as provided herein. Building permits shall also be required to conform to the requirements of this chapter.

B. Outdoor Lighting. No ~~new or expanded~~ industrial, commercial or recreational use shall project lighting directly onto an existing runway or taxiway or into existing airport approach surfaces except where necessary for safe and convenient air travel. Lighting for these uses shall be in accordance with FCC 10-37. ~~incorporate shielding in their designs to reflect light away from airport approach surfaces.~~ No use shall reflect light towards airport approach surfaces. imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.

Established by Ordinance No. 18, and 19, Series 2003

Sections 10-21-1-5 to 7, 10-21-2-2 to 7 amended by Ordinance No. 5, Series 2012 – effective 1-16-13

Section 10-21-2-7-B amended by Ord. No. 12, Series 2014– effective

Exhibit O

**TITLE 10
CHAPTER 25**

PROFESSIONAL OFFICE/INSTITUTIONAL ZONING DISTRICT

10-25-4: DEVELOPMENT STANDARDS:

| L. Lighting: Refer to Section 10-37 of this Title for Requirements.

Ordinance No. 15, Series 1999, Effective 9-16-99

Sections 10-25-4 and 10-25-5 amended by Ord. No. 9, Series 2009

Section 10-25-4-H amended by Ord. No. 4, Series 2011 (effective 4/22/11)

Sections 10-25-2, 10-25-3, and 10-25-5 amended by Ordinance No. 3, 2013, see Exhibit B, (effective 7-31-13)

| Section 10-25-4-L amended by Ord. No. 12, Series 2014 – effective

Exhibit Q

TITLE 10 CHAPTER 27

MAINSTREET DISTRICT

10-27-5: SITE AND DEVELOPMENT PROVISIONS:

G. Lighting.

Street lighting, building lighting and lighting of ~~interior~~ parking lots and walkways shall conform to the following lighting standards:

3. ~~Light fixtures shall be placed to allow adequate illumination for safe pedestrian and vehicular movement. Lighting plans shall show the illumination fields for each fixture. Refer to Section 10-37 of this Title for additional requirements.~~

Amended by Ordinance No. 5, Series 2003, effective April 17, 2003

Section 10-27-5, E - Amended by Ordinance No. 26, Series 2008

Section 10-27-5 C 2- Amended by Ordinance No. 14, Series 2009 (effective Oct 15, 2009)

Sections 10-27-4 and 10-27-5 Amended by Ordinance No. 9, Series 2009

Section 10-27-5-F amended by Ordinance No. 4, Series 2011 (effective April 22, 2011)

Sections 10-27-25, 10-27-3, 10-27-4, and 10-27-5 amended by Ord. No. 3, Series 2013 (effective 7-31-13)

Section 10-27-5-G-3 amended by Ord. No. 12, Series 2014 – effective

TITLE 10
CHAPTER 28

PACIFIC VIEW BUSINESS PARK DISTRICT

10-28-5: SITE AND DEVELOPMENT PROVISIONS:

J. Lighting: ~~Lighting shall be provided as necessary to provide for safety and security of the site. However, such lighting shall not negatively impact adjacent lots, particularly adjacent residential uses. Lighting shall be down-shielded and confined to site boundaries unless otherwise required by another agency such as the Federal Aeronautics Administration. Refer to Section 10-37 of this Title for Requirements.~~

Adopted by Ordinance No. 6, 2003, effective April 17, 2003

Section 10-28-5, H, Amended by Ordinance 26, 2008

Section 10-28-5 Amended by Ordinance No. 9, Series 2009

Sections 10-28-1 through 10-28-5 amended by Ord. 4, Series 2010 (effective 4/5/10) Sections 10-28-2, 10-28-5-L amended by Ord. 4, Series 2011 (effective 4/22/11)

Section 10-28-5-J amended by Ord. No. 12, Series 2014 – effective

TITLE 10
CHAPTER 29

COAST VILLAGE DISTRICT (CV)

10-29-6: SITE DEVELOPMENT PROVISIONS:

| H. Lighting: Refer to Section 10-37 of this Title for Requirements.

Enacted by Ord. No. 21, Series 2011 – effective January 5, 2012

| Section 10-29-6-H amended by Ord. No. 12, Series 2014 – effective

TITLE 10
CHAPTER 30

NORTH COMMERCIAL DISTRICT

10-30-5: DEVELOPMENT STANDARDS:

| [O. Lighting: Refer to Section 10-37 of this Title for requirements.](#)

Ordinance No. 11, Series 2003, effective August 7, 2003

Section 10-30-5, J - Amended by Ord. 26, 2008

Section 10-30-5 Amended by Ord. No. 9, 2009

Section 10-30-5-N – Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Section 10-30-5-F – Amended by Ord. No. 4, Series 2011 – effective April 22, 2011

Sections 10-30-2, 10-30-3, and 10-30-6 amended by Ord. No. 3, 2013 – effective 7-31-13

| [Section 10-30-5-O amended by Ord. No. 12, Series 2014 – effective](#)

TITLE 10
CHAPTER 31

SERVICE INDUSTRIAL DISTRICT

10-31-5: Site Design Criteria:

4. Lighting.

a. Lighting shall be in accordance with Section 10-37 of this Title. ~~carefully designed to be down-shielded and to contain glare within lot lines. Lighting shall not impact safe traffic movement on Highway 101, Oak or Spruce Streets.~~

b. Lighting on the Highway 101, Oak or Spruce frontage shall be carefully integrated into the overall site design.

~~c. Parking lots shall be adequately lighted for safety.~~

~~d. Security lighting is allowed as long as the criteria in a and b above are met.~~

Ordinance No. 12, Series 2003, effective August 7, 2003
Sections 10-31-4 and 10-31-5 amended by Ord. No. 9, Series 2009
Section 10-31-7 amended by Ord. No. 4, Series 2011 – effective 4/22/11
Section 10-31-2 amended by Ord. No. 3, Series 2013 – effective 7-31-13
Section 10-31-5-4 amended by Ord. No. 12, Series 2014 – effective

Exhibit V

TITLE 10 CHAPTER 33

TELECOMMUNICATIONS FACILITIES OVERLAY DISTRICT

10-33-7: Lighting: No lighting shall be permitted except as required by the FAA, or necessary to provide security to the site. ~~Lighting shall be down-shielded and of the minimum wattage necessary for the proposed use.~~ Refer to Section 10-37 of this Title for lighting requirements.

Ordinance No. 17, Series 2003

Section 10-33-7 amended by Ord. No. 12, Series 2014 – effective

Exhibit V

TITLE 10
CHAPTER 35

ACCESS AND CIRCULATION

10-35-4: Transit Facilities. Proposed uses other than single-family residences and duplexes must provide for transit riders by providing developmental improvements to accommodate current or planned transit stops pursuant to the following:

B. Proposed development must accommodate on site any existing or planned transit facility, if identified in the Community Transit Plan, through one or more of the following:

- | 3. Provide lighting at the transit facility- meeting the requirements in Title 10-37.

Created by Ord. No. 9, Series 2009
 Sections 10-35-2-5, 10-35-2-7, 10-35-2-8, 10-35-3-1, and 10-35-4 amended by Ord. No. 5, Series 2012 – effective 1-16-13
 Sections 10-35-2-7 and 10-35-2-9 amended by Ord. No. 3, Series 2013 effective 7-31-13
 | Section 10-35-4-B-3 amended by Ord. No.12, Series 2014 – effective

Exhibit X

TITLE 10 CHAPTER 36

PUBLIC FACILITIES

10-36-2-9: Street Location and Connectivity.

C. Mid-Block Connection/Multi-use Path Standards....

2. If the streets within the subdivision or neighborhood are lighted, all pathways in the subdivision shall be lighted. Pathway illumination shall provide at least two (2)-foot candles and shall meet all other requirements in Title 10-37.

Created by Ord. No. 9, Series 2009

Section 10-36-9 Added by Ord. No. 2, Series 2011 – effective March 11, 2011

Sections 10-36-1-C and 10-36-3-C amended by Ord. No. 18, Series 2011 – effective September 19, 2011

Sections 10-36-2-5, 10-36-2-10, 10-36-2-16 amended by Ord. No. 5, Series 2012 – effective January 16, 2013

Section 10-36-1 amended by Ord. No. 3, Series 2013 –effective 7-31-13

Section 10-36-2-9-C-2 amended by Ord. No. 12, Series 2014– effective

Exhibit X

**TITLE 10
CHAPTER 37
LIGHTING**

SECTION

- 10-37-1: Purpose**
- 10-34-2: Applicability**
- 10-34-3: Lighting Plans Required**
- 10-34-4: Lighting Standards**
- 10-34-5: Exemptions**
- 10-34-6: Prohibitions**
- 10-34-7: Enforcement**
- 10-34-8: Definitions**

10-34-1: PURPOSE: The purpose of this provision is to make exterior lighting used for residential, commercial and public areas appropriate to the need, and to minimize light from shining skyward or offsite onto adjacent public rights of way or private properties. Nothing in this ordinance should be interpreted to restrict the amount of lighting necessary for safe and efficient operations. Further, it is to encourage through regulation of type, kinds, construction and uses of exterior illumination devices, lighting practices and systems to conserve energy without decreasing safety, utility, security and productivity while enhancing nighttime (dark skies) enjoyment of property within the City of Florence. Refer to the Exterior Lighting brochure for additional guidance and information.

10-34-2: APPLICABILITY: Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

- A. Resumption of Use - If a property with non-conforming lighting is abandoned for a period of one year or more, then all exterior lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.
- B. Major Additions or Alterations - If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - 1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - 2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.
 - 3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.
- C. Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in

advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.

10-34-3: LIGHTING PLANS REQUIRED: All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

10-34-4: LIGHTING STANDARDS:

- A. All exterior lighting fixtures subject to this code section must be designed as a full cut-off fixture or have a shielding method to direct light emissions downward below the horizontal plane onto the site and does not shine illumination or glare skyward or onto adjacent or nearby property.
- B. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) foot-candles over parking spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.
- C. Lighting in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.
- D. Main exterior lights for commercial, institutional, and industrial buildings, landscaping and parking lots shall be extinguished at end of business hours with a minimum lighting remaining for personal and building security and safety after hours.
- E. A thirty-day review period beginning with the first day in business using the new lighting system shall be required to evaluate and adjust illumination levels of lighting. The City may ask for lighting to be adjusted in this time period based on public comments or staff inspections.
- F. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination is restricted to the sign face and glare is eliminated.



- G. Lighting for roadway signs and pedestrian ways must 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.

10-34-5: EXEMPTIONS:

- A. Exterior light fixtures, except Mercury Vapor lights, lawfully installed prior to and operable on the effective date of the requirements codified in this Ordinance except as follows:
 - 1. All replacement of outdoor lighting fixtures, as of the date of adoption, shall be subject to the provision of this ordinance.
 - 2. Until a date ten years after the date of the adoption of this ordinance.
- B. Lighting within public right-of-way or easement for the purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.
- C. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels.
- D. Carnivals, fairs and temporary events that require the use of exterior lighting require a special events license. Permanent installations at dedicated sites must conform to the requirements of this Ordinance.
- E. Seasonal Holiday Lighting - Lights used for decorating during holidays or festivals as defined in this code section and may be blinking or flashing.
- F. Lighting for a properly displayed U.S. flag is exempt.
- G. Construction lighting necessary for a roadway, building, or utility construction site except that permanent installations at dedicated sites must conform to the requirements of this Ordinance.
- H. 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 does 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 illumination of the sky.
- I. Commercial and industrial low wattage lighting used to highlight driveways and landscaping, or applied to a building providing they are properly aimed and shielded down to not shine glare, emit direct illumination, or cast a shadow into the public right of way or onto abutting or nearby properties.
- J. Lighting for public monuments, murals, and statuary providing lighting is properly aimed and shielded to contain light to the art feature and not shine glare into the public right of way or onto abutting or nearby properties.
- K. Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration. All other airport outdoor lighting must conform to this ordinance.
- L. Underwater lighting in swimming pools and other water features.
- M. Temporary lighting for theatrical, television, and performance areas.
- N. Athletic field lighting; steps should be taken to minimize glare and light trespass, and utilize sensible

curfews. Light directed upward is prohibited.

- O. Correctional Facilities
- P. Ornamental and architectural lighting of bridges.
- Q. Temporary exemptions as granted by the City of Florence.
- R. In addition to exceptions mentioned above the below apply to residential uses.
 - 1. One partly shielded or unshielded luminaire at the main entry, not exceeding 630 lumens.
 - 2. Any other partly shielded or unshielded luminaires not exceeding 315 lumens.
 - 3. Low voltage landscape lighting aimed so that glare is not visible from adjacent properties and not exceeding 525 lumens per fixture.
 - 4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding 1,260 lumens.
 - 5. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 10 minutes after the area is vacated.
 - 6. Decorative low wattage lights.

10-34-6: PROHIBITIONS:

- A. Laser Light Source. The use of laser source light or any similar high intensity light for exterior advertising or entertainment is prohibited.
- B. Searchlights and Strobe Lights. The use of searchlights or strobe lights for purposes other than public safety or emergencies is prohibited.
- C. Blinking & Flashing Lights. All blinking and flashing lights except for traffic control fixtures, those used for public safety or emergencies, and seasonal holiday lights are prohibited.
- D. 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 districts; such lighting must not be located more than 15 feet from finished grade and must not be used to define a building roof-line; and, such lighting must not include flashing, intermittent or rotating lights. Notwithstanding the provisions of this subsection, all neon lighting associated with signs must meet the requirements of the City of Florence Sign Code.

10-34-7: ENFORCEMENT: Lighting disputes should be settled between the parties whenever possible. Education and voluntary compliance are encouraged. Non-conformance with this Ordinance is deemed a public nuisance and is subject to abatement in accordance with City of Florence City Code Title 6 Chapter 1.

10-34-8: DEFINITIONS:

END OF BUSINESS HOURS or END OF BUSINESS – End of business hours or end of business” means 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.

EXTERIOR LIGHTING – Temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outside. Fixtures that are installed indoors that are intended to light something outside are considered exterior lighting for the intent of this code.

FIXTURE – The assembly that holds the lamp or bulb in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

FOOTCANDLE – One footcandle is the illuminance produced on a surface one foot square from a distance of one foot. Measured by a light meter.

FULL CUT-OFF – A light fixture designed, constructed, installed, or shielded so that light emitted by the fixture, either directly from the lamps or indirectly from the fixture so that light is projected down and no light is projected above the horizontal plane.

GLARE – 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; (d) reduction of visual performance.

HIGH INTENSITY LIGHTING – High pressure sodium, mercury vapor, metal halide, low-pressure sodium, induction, sulfur, xenon, and other similar lamps.

INSTALLED – 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 the effective date of this Ordinance are excluded from compliance with the ordinance in the initial installation only.

LAMP OR BULB – The light producing source installed in the socket portion of a fixture.

LIGHT – The form of radiant energy acting on the retina of the eye to make sight possible; brightness; illumination; a lamp, as defined above.

LIGHTING – Any or all parts of a luminaire that function to produce light.

LIGHT TRESPASS – Light falling beyond the property it is intended to illuminate, generally caused by a light on a property that shines onto the property of others.

LOW VOLTAGE/WATTAGE LIGHTS – Individual lamps 525 lumens or less that may or may not be strung together within a translucent or transparent plastic cover.

LUMEN – The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

LUMINAIRE – The complete lighting unit, including the lamp, the fixture, and other parts.

PARTLY SHIELDED – A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.

RECESSED – When a light is built into a structure or portion of a structure such that the light is fully cut-off and no part of the lamp or bulb extends or protrudes beyond the underside of a structure or portion of a structure.

REPLACEMENT – 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, 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.

SAFETY / SECURITY – (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, loading areas, building access points and safety areas.

SEASONAL HOLIDAY LIGHTING – Lighting displayed during and around a federally recognized holiday or local festival on a seasonal basis. For the purposes of this section, local festivals include but are not limited to Rhododendron Days and the Winter Folk Festival.

SHIELDING – An externally applied device such as a shroud or hood of metal, wood, opaque plastic or opaque glass so that light emitted by the fixture is directed downward below the horizontal plane onto the site and does not shine direct illumination skyward or onto adjacent or nearby property. The bulb is not visible with a shielded light fixture and no light is emitted from the side of the fixture. Also considered a full cut-off fixture.

TEMPORARY LIGHTING – Means lighting that is intended to be used for a special event for seven (7) days or less.

UNSHIELDED – Light fixtures lacking any means to restrict the emitted light to below the horizontal plane or to shine or glare skyward or onto adjacent or nearby property.

UPLIGHTED – A shielded light that directs light from the fixture in such a manner as to shine light rays above the horizontal plane.

Created by Ord. 12, Series 2014