

ORDINANCE NO. 4675

AN ORDINANCE AMENDING BEAVERTON CODE CHAPTER 5.05 BY INCLUDING BC 5.05.120 AND AMENDING BC 5.05.133 ON EXTERIOR LIGHTING

Whereas, the current Beaverton Code section contains ambiguity on what is considered unreasonable exterior lighting; and

Whereas, the City Council would like to provide clarity on what is presumed to be reasonable exterior lighting by providing an objective standard to measure exterior lighting.

Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS

Section 1. Beaverton Code Chapter 5.05 is amended—by including BC 5.05.120 and amending 5.05.133—to read as follows:

5.05.120 Definitions.

- A. "Outdoor recreational facilities" includes, but is not limited to, public ball diamonds, public playing fields, and public tennis courts. It includes facilities owned, operated, or maintained by the Tualatin Hills Park and Recreational District.
- B. "Foot-candle" means a unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of (1) candle.
- B. "Habitat benefit area" means an area of land that the City has designated as a habitat benefit area under the Development Code.
- C. "Significant natural resource area" means resources identified in Volume III of the Comprehensive Plan as "significant" pursuant to Statewide Planning Goal 5. For the South Cooper Mountain Community Plan area, it includes Class I and Class II riparian habitat areas and Class A and B upland wildlife areas as determined by Metro Council designation of these areas as regionally significant fish and wildlife habitat through Metro 13 implementation for areas brought within Metro UGB after December 28, 2005.
- D. "Vegetative corridor" means a corridor adjacent to a water quality sensitive area that is preserved and maintained to protect the water quality functions of the water quality sensitive area.
- E. "Water quality sensitive area" means existing or created wetlands; rivers, streams, and springs, whether flow is perennial or intermittent; natural lakes, ponds and instream impoundments. It does not

include stormwater infrastructure; a vegetative corridor adjacent to the water quality sensitive area; an off-stream recreational lake, lagoon, fire pond or reservoir; or drainage ditches.

5.05.133 Exterior Lighting.

A. No person shall knowingly allow an exterior lighting fixture to shine light that unreasonably interferes with another person's use or enjoyment of property. The light from an exterior lighting fixture is presumed reasonable if the light does not exceed 0.5 foot-candles at the person's property line.

B. No person shall knowingly allow an exterior lighting fixture, wherever located, to shine light into or onto a significant natural resource area, vegetative corridor, water quality sensitive area, or habitat benefit area unless the lighting fixture is a full cut-off design that is shielded, hooded and oriented towards the ground.

C. This section does not apply to the following:

1. Outdoor recreational facilities;
2. Street lighting or lighting on paths, trails, and walkways; or
3. Facilities owned, operated, or maintained by school districts.

D. This section does not create a cause of action for damages and may not be asserted as the basis for a nuisance per se claim.

First reading this 9th day of February, 2016.

Second reading and passage by this Council this 16th day of February, 2016.

Approved by the Mayor this 17th day of February, 2016.

ATTEST:

Nana Mayo, Deputy City Recorder
for CATHERINE L JANSEN, City Recorder

APPROVED:

[Signature]
for DENNY DOYLE, Mayor