

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. _____

Amending MCC Chapters 11.15, 33, 34, 35 and 36 Relating to Dark Sky Exterior Lighting Requirements and Associated Amendments to the Sign Code.

(Language ~~stricken~~ is deleted; underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. Periodically, there is a need to amend County land use policies or regulations to address a change in law or circumstance; to implement elements of the Multnomah County Comprehensive Plan; or to make technical corrections for, among other things, clarification and consistency (commonly referred to as “housekeeping amendments”). Having identified such need, the Multnomah County Planning Commission recommended the adoption of this ordinance to the Board of County Commissioners. The Planning Commission made such recommendation through adoption of the resolution described below and pursuant to its authority in MCC 11.15.8405 through 11.15.8415, 33.0140, 34.0140, 35.0140, 36.0140, and 37.0710 and in ORS 215.110.
- b. Planning Commission Resolution No. PC 2013-3056 relates to Dark Sky exterior lighting regulations and associated amendments to the Sign Code. Currently, Multnomah County land use code contains anti-light pollution regulations under certain development scenarios in specific portions of unincorporated Multnomah County. This ordinance generally will replace those regulations with a more comprehensive and effective approach to regulating exterior lighting by requiring certain exterior lighting to be fully shielded and directed downwards. Consistent with that approach, this ordinance also amends Multnomah County’s sign code relating to illuminated, electronic, and flashing signs. Multnomah County Code Chapter 38, applicable in the Columbia River Gorge National Scenic Area, currently contains development requirements for exterior lighting reduction and is not being amended.
- c. The Planning Commission held a public hearing on June 6, 2016, during which all interested persons were given the opportunity to appear and be heard. Notice of the Planning Commission’s hearing was published in the Oregonian newspaper and on the website of the Multnomah County Land Use Planning Program. Individual notice under ORS 215.503 (commonly referred to as “Ballot Measure 56 notice”) is not required because this ordinance will not: amend any element of the county’s comprehensive plan, enact a new comprehensive plan, change any base zoning classification, or limit or prohibit any land use previously allowed in any affected zone. At the conclusion of the public hearing, the Planning Commission recommended adoption of the Dark Sky ordinance and associated amendments to the Sign Code.
- d. The Planning Commission’s recommendation is sound and derives from the proper execution of its duties and authority.

Multnomah County Ordains as Follows:

Section 1. MCC 11.15.0010, 33.0005, 34.0005, 35.0005 and 36.0005 are amended as follows:

- § 11.15.0010 **DEFINITIONS.**
- § 33.0005 **DEFINITIONS.**
- § 34.0005 **DEFINITIONS.**
- § 35.0005 **DEFINITIONS.**
- § 36.0005 **DEFINITIONS.**

* * *

Exterior Lighting – Artificial outdoor illumination as well as artificial outdoor illuminating devices or fixtures, whether permanent or temporary, including, but not limited to, illumination and illuminating devices or fixtures emanating from or attached to: the exterior of buildings, including under canopies and overhangs; structures, such as poles, fences or decks; the interior or exterior of open-air structures or buildings, such as gazebos, pergolas, and breezeways; and the ground, a tree or other natural feature.

* * *

Section 2. MCC 11.15.9205, 33.0570, 34.0570, 35.0570 and 36.0570 are added as follows:

§ 11.15.9205 **DARK SKY LIGHTING STANDARDS.**

(A) The purpose of the Dark Sky Lighting Standards in this section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

- (1) Lighting lawfully installed prior to the effective date of this ordinance, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.
- (2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.
- (3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.
- (4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this

section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 11.15.2282, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. “Fully shielded” means no light is emitted above the horizontal plane located at the lowest point of the fixture’s shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

§ 33.0570

DARK SKY LIGHTING STANDARDS.

(A) The purpose of the Dark Sky Lighting Standards in this section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to the effective date of this ordinance, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace

existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 33.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

§ 34.0570

DARK SKY LIGHTING STANDARDS.

(A) The purpose of the Dark Sky Lighting Standards in this section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime

use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to the effective date of this ordinance, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, "discrete farming practices" does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 34.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery

operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

§ 35.0570

DARK SKY LIGHTING STANDARDS.

(A) The purpose of the Dark Sky Lighting Standards in this section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to the effective date of this ordinance, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 35.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the

United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. “Fully shielded” means no light is emitted above the horizontal plane located at the lowest point of the fixture’s shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

§ 36.0570

DARK SKY LIGHTING STANDARDS.

(A) The purpose of the Dark Sky Lighting Standards in this section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to the effective date of this ordinance, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, *except* that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), *except* that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 36.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding

required in paragraph (C)(1) of this section may be required.

Section 3. MCC 33.2061 is amended as follows:

§ 33.2061 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A): All exterior lighting shall comply with MCC 33.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2061(C) ~~and the applicable driveway/road requirements of 33.2061(E);~~

* * *

Section 4. MCC 33.2261 is amended as follows:

§ 33.2261 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A): All exterior lighting shall comply with MCC 33.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2261(C) ~~and the applicable driveway/road requirements of 33.2261(E);~~

* * *

Section 5. MCC 33.2461 is amended as follows:

§ 33.2461 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A): All exterior lighting shall comply with MCC 33.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2461(C) ~~and the applicable driveway/road requirements of 33.2461(E);~~

* * *

Section 6. MCC 33.2660 is amended as follows:

§ 33.2660 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(G) All exterior lighting shall comply with MCC 33.0570.

Section 7. MCC 33.2855 is amended as follows:

§ 33.2855 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(G) All exterior lighting shall comply with MCC 33.0570.

* * *

Section 8. MCC 33.3155 is amended as follows:

§ 33.3155 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(F) All exterior lighting shall comply with MCC 33.0570.

* * *

Section 9. MCC 33.3355 is amended as follows:

§ 33.3355 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(I) All exterior lighting shall comply with MCC 33.0570.

* * *

Section 10. MCC 34.2660 is amended as follows:

§ 34.2660 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(G) All exterior lighting shall comply with MCC 34.0570.

* * *

Section 11. MCC 34.2855 is amended as follows:

§ 34.2855 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(G) All exterior lighting shall comply with MCC 34.0570.

* * *

Section 12. MCC 34.3155 is amended as follows:

§ 34.3155 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(F) All exterior lighting shall comply with MCC 34.0570.

* * *

Section 13. MCC 34.3355 is amended as follows:

§ 34.3355 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 34.0570.

* * *

Section 14. MCC 35.2061 is amended as follows:

§ 35.2061 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A): All exterior lighting shall comply with MCC 35.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 35.2061(C) ~~and the applicable driveway/road requirements of 35.2061(E);~~

* * *

Section 15. MCC 35.2261 is amended as follows:

§ 35.2261 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A): All exterior lighting shall comply with MCC 35.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 35.2261(C) ~~and the applicable driveway/road requirements of 35.2261(E);~~

* * *

Section 16. MCC 35.2660 is amended as follows:

§ 35.2660 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(G) All exterior lighting shall comply with MCC 35.0570.

* * *

Section 17. MCC 35.2855 is amended as follows:

§ 35.2855 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(G) All exterior lighting shall comply with MCC 35.0570.

* * *

Section 18. MCC 35.3155 is amended as follows:

§ 35.3155 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 35.0570.

* * *

Section 19. MCC 35.3355 is amended as follows:

§ 35.3355 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(J) All exterior lighting shall comply with MCC 35.0570.

* * *

Section 20. MCC 36.2061 is amended as follows:

§ 36.2061 **DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES**

All dwellings and structures shall comply with the approval criteria in (B) through ~~(E)~~ (D) below except as provided in (A); All exterior lighting shall comply with MCC 36.0570:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

* * *

(2) Replacement or restoration of a dwelling.

* * *

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 36.2061(C) ~~and the applicable driveway/road requirements of 36.2061(E);~~

* * *

Section 21. MCC 36.2660 is amended as follows:

§ 36.2660 **DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS**

* * *

(I) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 22. MCC 36.2855 is amended as follows:

§ 36.2855 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS

* * *

(J) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 23. MCC 36.3155 is amended as follows:

§ 36.3155 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS

* * *

(I) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 24. MCC 36.3355 is amended as follows:

§ 36.3355 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS

* * *

(I) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 25. MCC 36.3455 is amended as follows:

§ 36.3455 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS

* * *

(I) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 26. MCC 36.3550 is amended as follows:

§ 36.3550 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS

* * *

(I) All exterior lighting shall comply with MCC 36.0570.

* * *

Section 27. MCC 11.15.2016 is amended as follows:

§ 11.15.2016 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 28. MCC 11.15.2058 is amended as follows:

§ 11.15.2058 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(I) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 29. MCC 11.15.2138 is amended as follows:

§ 11.15.2138 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 30. MCC 11.15.2178 is amended as follows:

§ 11.15.2178 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 31. MCC 11.15.2218 is amended as follows:

§ 11.15.2218 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 32. MCC 11.15.2258 is amended as follows:

§ 11.15.2258 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 33. MCC 11.15.2392 is amended as follows:

§ 11.15.2392 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(F) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 34. MCC 11.15.2412 is amended as follows:

§ 11.15.2412 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(E) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 35. MCC 11.15.2572 is amended as follows:

§ 11.15.2572 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(G) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 36. MCC 11.15.2616 is amended as follows:

§ 11.15.2616 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(I) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 37. MCC 11.15.2634 is amended as follows:

§ 11.15.2634 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS

* * *

(I) All exterior lighting shall comply with MCC 11.15.9205.

* * *

Section 38. MCC 33.7450, 34.7450, 35.7450 and 36.7450 are amended as follows:

§ 33.7450 SIGNS GENERALLY IN THE EFU, CFU-1, CFU-2, CFU-5, MUA-20, RR AND BRC ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 33.7460 through 33.7500.

* * *

(C) Sign Features

Permanent signs may have the following features:

(1) Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

§ 34.7450 SIGNS GENERALLY IN THE EFU, MUA-20, RR, AND RC ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 34.7460 through 34.7500.

* * *

(C) Sign Features

Permanent signs may have the following features:

- (1) Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

§ 35.7450 SIGNS GENERALLY IN THE EFU, CFU-3, CFU-4, MUA-20, RR AND SRC ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 35.7460 through 35.7500.

* * *

(C) Sign Features

Permanent signs may have the following features:

- (1) Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

§ 36.7450 SIGNS GENERALLY IN THE EFU, CFU, MUA-20, RR, PH-RC, OCI AND OR ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 36.7460 through 36.7500.

* * *

(C) Sign Features

Permanent signs may have the following features:

- (1) Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

Section 39. MCC 11.15.7932, 11.15.7934, 11.15.7936, 11.15.7938, 11.15.7940, and 11.15.7942 are amended as follows:

§ 11.15.7932 SIGNS GENERALLY IN THE GC, EC, LM, GM, HM, C-2, M-4, M-3, M-2, AND M-1 ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 11.15.7962 – .7978.

* * *

(C) Sign Features

Permanent signs may have the following features:

1. Signs may be indirectly, ~~internally or directly~~ illuminated downward onto the sign face.
2. Electronic message centers are not allowed.
3. ~~Fifteen percent of the face of all sign types may be flashing.~~ Flashing signs are not allowed.
4. Rotating signs are not allowed.
5. Moving parts are not allowed.

* * *

§ 11.15.7934 SIGNS GENERALLY IN LC, NC, SC, C-4, AND C-3 ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes, and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 11.15.7962 – .7978.

* * *

(C) Sign Features

Permanent signs may have the following features:

- A. Signs may be indirectly, ~~internally or directly~~ illuminated downward onto the sign face.
- B. Electronic message centers are not allowed ~~may not be greater than 24 square feet in area.~~

* * *

§ 11.15.7936 SIGNS GENERALLY IN THE TLC, TNC, TGC, TO, AND TLM ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 11.15.7962 – .7978.

* * *

(C) Sign Features

Permanent signs may have the following features:

1. Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.
2. Electronic message centers are not allowed ~~with a maximum of 15 square feet.~~
3. Flashing signs are not allowed.
4. Rotating signs are not allowed.
5. Moving parts are not allowed.

* * *

§ 11.15.7938 SIGNS GENERALLY IN THE BPO ZONE AND FOR OFFICE AND COMMERCIAL USES IN THE MR-4, MR-3, HR-2, HR-1, A-2, A-1-B, TMR, AND THR ZONES AND FOR USES PERMITTED UNDER PRESCRIBED CONDITIONS IN THE LC, NC, GC, EC AND SC ZONES

The following signs are permitted for all uses and sites in the BPO zone, and in the case of an office, clinic or limited commercial use authorized as provided in the zones listed above.

* * *

(C) Sign Features

Permanent signs may have the following features:

1. Signs may be indirectly, ~~internally or directly~~ illuminated downward onto the sign face.
2. Electronic message centers are not allowed ~~with a maximum size of 15 square feet.~~

* * *

§ 11.15.7940 SIGNS GENERALLY IN THE MR-4, MR-3, HR-2, HR-1, A-2, A-1-B, TMR AND THR ZONES

For all uses and sites in the above listed zones, except as provided in MCC 11.15.7938 for office and commercial uses in those zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 11.15.7962 – .7978.

* * *

(C) Sign Features

Permanent signs may have the following features:

1. Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

§ 11.15.7942 SIGNS GENERALLY IN THE EFU, CFU, MUA-20, MUF, RR, RC, SR, UF-20 AND UF-10 ZONES AND FOR COMMUNITY SERVICE USES AND CONDITIONAL USES IN THE LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10, R-7, R-4, AND TLR-5 ZONES

For all uses and sites in the above listed zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 11.15.7962 – .7978.

* * *

(C) Sign Features

Permanent signs may have the following features:

1. Signs may be indirectly ~~or internally~~ illuminated downward onto the sign face.

* * *

Section 40. MCC 11.15.7952, 33.7455, 34.7455, 35.7455 and 36.7455 are amended as follows:

§ 11.15.7952 BILLBOARD REGULATIONS

Billboards are allowed in unincorporated Multnomah County as described in MCC 11.15.7920, *et. seq.*

* * *

(D) Development Standards

* * *

11. Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

* * *

§ 33.7455 BILLBOARD REGULATIONS

Billboards are allowed in unincorporated Multnomah County as described in MCC 33.7400, *et. seq.*

* * *

(D) Development Standards

* * *

11. Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

* * *

§ 34.7455 BILLBOARD REGULATIONS

Billboards are allowed in unincorporated Multnomah County as described in MCC 34.7400, *et seq.*

* * *

(D) Development Standards

* * *

11. Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

* * *

§ 35.7455 BILLBOARD REGULATIONS

Billboards are allowed in unincorporated Multnomah County as described in MCC 35.7400, *et seq.*

* * *

(D) Development Standards

* * *

11. Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

* * *

§ 36.7455 BILLBOARD REGULATIONS

Billboards are allowed in unincorporated Multnomah County as described in MCC 36.7400, *et seq.*

* * *

(D) Development Standards

* * *

11. Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

* * *

Section 41. MCC 33.7490 is amended as follows:

§ 33.7490 DIRECTIONAL SIGNS

Directional signs shall comply with the following provisions:

Maximum Sign Face Area:	Six Square Feet
Types of Signs Allowed:	Free Standing, Fascia, Projecting, Painted Wall
Maximum Height:	Free Standing 42 Inches Fascia and Projecting 8 Feet
Extensions into R/W:	Not Allowed
Lighting:	<u>Indirectly Illuminated</u> or Internal <u>downward onto the sign face</u>
Flashing Lights:	Not Allowed
Electronic Message Centers:	Not Allowed
<u>Moving or Rotating Parts:</u>	<u>Not Allowed</u>

Section 42. MCC 34.7490, 35.7490 and 36.7490 are amended as follows:

§ 34.7490 DIRECTIONAL SIGNS

§ 35.7490 DIRECTIONAL SIGNS

§ 36.7490 DIRECTIONAL SIGNS

Directional signs shall comply with the following provisions:

Maximum Sign Face Area:	Six Square Feet
Types of Signs Allowed:	Free Standing, Fascia, Projecting, Painted Wall

Maximum Height:	Free Standing 42 Inches Fascia and Projecting 8 Feet
Extensions into R/W:	Not Allowed
Lighting:	<u>Indirectly Illuminated</u> or Internal downward <u>onto the sign face</u>
Flashing Lights:	Not Allowed
Electronic Message Centers:	Not Allowed
Moving or Rotating Parts:	Not Allowed

Section 43. MCC 11.15.7974 is amended as follows:

§ 11.15.7974 DIRECTIONAL SIGNS

Directional signs shall comply with the following provisions:

Table .7974 Directional Signs	
Maximum Sign Face Area	Six Square Feet
Types of Signs Allowed	Free Standing, Fascia, Projecting, Painted Wall
Maximum Height – Free Standing	42 Inches
Maximum Height – Fascia and Projecting	8 Feet
Extensions into R/W	Not Allowed
Lighting	<u>Indirectly Illuminated</u> or Internal downward <u>onto the sign face</u>
Flashing Lights	Not Allowed
Electronic Message Centers:	Not Allowed
Moving or Rotating Parts:	Not Allowed

Section 44. MCC 36.3355, 36.3455 and 36.3550 are amended as follows:

- § 36.3355 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS.
- § 36.3455 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS.
- § 36.3550 DIMENSIONAL STANDARDS AND DEVELOPMENT REQUIREMENTS.

All development proposed in this district shall comply with the applicable provisions of this section.

* * *

~~(G)~~—New and replacement exterior lighting fixtures shall be of the “cut off” or fully shielded type so that no light is emitted above the horizontal.

~~(H)~~ (G) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

* * *

Section 45. MCC 36.4567 is amended as follows:

§ 36.4567 SEC-H CLEAR AND OBJECTIVE STANDARDS.

At the time of submittal, the applicant shall provide the application materials listed in MCC 36.4540(A) and (D). The application shall be reviewed through the Type I procedure and may not be authorized unless the following are met:

* * *

~~(C)~~—New and replacement exterior lighting fixtures shall be of the “cut off” or fully shielded type so that no light is emitted above the horizontal plane. The location and illumination area of lighting needed for security of utility facilities shall not be limited by this provision.

~~(D)~~ (C) The nuisance plants in 36.4550, Table 1, in addition to the nuisance plants defined in 36.4510, shall not be used as landscape plantings within the SEC-h Overlay Zone.

* * *

FIRST READING: _____

SECOND READING AND ADOPTION: _____

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Katherine Thomas, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services