

1. 2:00 P.M. Agenda

Documents:

[2020-10-20 Planning Commission Agenda.pdf](#)

2. Meeting Materials

[/DocumentCenter/Index/162](#)

Documents:

[2020-09-22 Executive Summary PlanningAdmin.pdf](#)

[2020-09-22 Lighting Draft Ordinance.pdf](#)

[Comment Ellington 2020-10-18.Pdf](#)

[Comment Erdhal 2020-10-09.Pdf](#)

[Comment M Brown 2020-10-19.Pdf](#)

[Comment Macdonnell 2020-10-14.Pdf](#)

[Comment Naffziger 2020-10-10.Pdf](#)

[Comment Nolans 2020-10-09.Pdf](#)

[Lighting.pdf](#)

[Lighting Ordinance Comments JRP.pdf](#)

[2020 10 19 Planners Memo For PC.pdf](#)



CITY OF YACHATS
PLANNING COMMISSION MEETING
441 Hwy 101 N., Yachats OR
Tuesday, October 20, 2020 at 2:00 pm
Public Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/83497503951?pwd=Z0xLaC94S1ZGVUVlbi9hcHhqdklKZz09>

Meeting ID: 834 9750 3951

Passcode: 653649

One tap mobile

+12532158782,,83497503951#,,,,,0#,,653649# US (Tacoma)

+13462487799,,83497503951#,,,,,0#,,653649# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 834 9750 3951

Passcode: 653649

Find your local number: <https://us02web.zoom.us/j/83497503951?pwd=Z0xLaC94S1ZGVUVlbi9hcHhqdklKZz09>

PUBLIC HEARING at 2:00pm

Notice of the City of Yachats Proposed Public Land Use Hearing

AGENDA

- I. Call to Order
- II. Minutes
 - A. Summary Minutes of September 22, 2020
- III. Citizen's Concerns
- VI. Old Business
 - A. Lighting Ordinance – Public Comments
 - B. Hazard Mitigation Update – Public Comments
 - C. Parking – Status of Inventory
- VII. Planner Report Overview
- VIII. Other Business
 - A. From the Commission
 - B. From Staff

Commission meets the third Tuesday of each month. This meeting is open to the public and all interested persons are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at www.yachatsoregon.org. In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541- 547-3565 or Oregon Relay 1- 800-735-2900 (TDD) two days in advance. Posted 10/13/20



CITY OF YACHATS
PLANNING COMMISSION MEETING

Date: September 22, 2020 at 2:00pm

Meeting Summary

Audio will be uploaded the following business day for review of entire meeting

Meeting Call to Order

Members Present or Absent

Mayor/Chair: Lance Bloch called the (date)September 22, 2020 (time)2:00pm

Council/Commission/Committee members present:

- | | |
|---------------------------|----------------------------|
| 1. <u>Lance Bloch</u> | 4. <u>Jacqueline Danos</u> |
| 2. <u>Helen Anderson</u> | 5. <u>Ariana Carlson</u> |
| 3. <u>Loren Dickinson</u> | |

Absent:

- | | |
|-----------------------------|----------|
| 1. <u>Christine Orchard</u> | 3. _____ |
| 2. _____ | 4. _____ |

Staff present:

- | | |
|----------------------------|--|
| 1. <u>Planner Hamilton</u> | 4. <u>Community Svc Coordinator Hoen</u> |
| 2. <u>Admin Sites</u> | 5. _____ |
| 3. _____ | 6. _____ |

Audience: 9

WORK SESSION

I. Business

- a. Reviewed lighting ordinance changes that were submitted by Councilor Vaaler and members of the committee (see attached) discussion following each suggested change; how to proceed from this point with the changes and what to recommend to City Council after the next work session.

REGULAR MEETING

II. Announcements and Correspondence

- a. Officially welcomed Ariana Carlson to the committee
- b. Bloch attended the chairman's meeting last month for Vice Chair Anderson; a person from each commission attends each city council meeting and report back to their commission; suggested members take turns to attend these meetings and give a report.

II. Public Comments:

- a. None

III. Consent Agenda

1. Minutes

- a. Draft Summary Minutes of August 18, 2020
 - Aye: Anderson, Dickinson, Danos and, Carlson
 - Nay: Bloch
 - Absent: Orchard

IV. Motions:

- a. Do not submit an official statement to Council regarding Driftwood
 - Aye: Anderson, Dickinson, Bloch and Orchard proxy to Helen
 - Nay: Danos recused due to conflict of interest
 - Absent: Orchard (voted by proxy)

Overview:

- Parking – listed the business and the parking spaces that they currently have, need to cut spaces as they are on the map and match up, then add up; some of the spaces are larger than others; count from Ocean View to 4th, and north of 4th and do an east side count, identify the type of parking spaces and make possible recommendation to Council.
- The Planning Commission does not direct the City Planner.
- Planner report included 7th St permit on the lot lines and that project is large and in compliant and is a C-1, even if it reverts to R-4, it is allowed a setback of one

1 foot on a corner lot; on-site meeting with the landmark owners and met with
2 DCLD

- 3 • Hoen informed the commission that she has inventory and the GIS map for the
4 street lights; PUD will move them, disconnect them, PUD is working on changing
5 fabricated shields; we can direct them where they need to be moved and placed;
6 the commission members will discuss on the next work session
7

8 ***Action Steps to be taken:***

- 9 • PUD Lighting on the next work session meeting

10
11 Helen Anderson adjourned the meeting at 4:15pm.

12 ATTEST:

13 _____

14 Helen Anderson, Chair

13 _____

14 Lance Bloch, Co-Chair

15
16 _____

17 Kimmie Jackson, Deputy Recorder

Date: _____

PART I

9.04.030 Definitions

Add to existing Definitions in 9.04.030:

- A. Cutoff Angle (of a luminaire): The angle, measured from the lowest point between a vertical line from the center of the lamp extended to the ground and the first line of sight at which the bare source is not visible.
- B. Fixture (also called a luminaire or light fixture): A complete lighting unit including the light source (bulb), mounting, and shielding.
- C. Floodlight: A light that produces up to one thousand eight hundred (1,800) lumens and is designed to “flood” a well-defined area with light.
- D. Foot-candle: A measure of luminance or a measure of how bright a light appears to the eye. One foot-candle is equal to one lumen per square foot. As an example, a typical 60-watt light (800 lumens) produces an illuminance of one-tenth (0.1) foot candle at a distance of about twenty-five (25) feet.
- E. Glare: Light that causes a visual impairment sensation due to excessive brightness from the light source and can interfere with one's ability to see. See Figures 2 and 3 in 9.42.020.
- F. Hardscape: Permanent hard landscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is ten (10) feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
- G. High Intensity Lighting: Lamps which produce visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to, metal halide, high-pressure sodium, low-pressure sodium and mercury vapor.
- H. Individual Lamp Limit: Limit on output of any individual light source as enumerated in Section 9.42.040.C
- I. Individual Lot Limit: The maximum for the sum of all individual light sources on a given property as enumerated in 9.42.050.A and 9.42.050.C.
- J. Light Trespass/Trespass Lighting: Any light emitted from an outdoor luminaire that either shines directly beyond the property on which the luminaire is installed or indirectly shines beyond the property on which the luminaire is installed at a brightness that exceeds one-tenth (0.1) foot candle at twenty five (25) feet from the light source or at the property line, whichever is more restrictive. See Figure 4 in 9.42.020.
- K. Lighting Source Height: The distance from finished grade to the top most portion of any light emitting source (e.g., lamp, surface or lens).
- L. Luminaire: See definition for “fixture”.
- M. Marine Lighting: Bright light fixtures pointed at the ocean and coastal tide pools.
- N. Outdoor Lighting Fixture: A luminaire outside of an enclosed building or structure, or any luminaire directed such that it primarily illuminates outdoor areas.

- O. Security Lighting: Minimal lighting for personal and building security and safety after hours.
- P. Shielding: An opaque covering for an Outdoor Lighting Fixture such that no light rays are emitted above the horizontal plane running through the lowest point of the fixture. Shielding can be extended downward to prevent “Light Trespass” as defined above. See examples in Section 9.42.080.D.
- Q. Uplighting: Lighting that is directed in such a manner as to shine light rays above the horizontal plane.

PART II

9.42 City of Yachats Lighting Ordinance

9.42.010 Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will accomplish the following goals:

- A. Permit the use of outdoor lighting that promotes health, safety, security, and productivity.
- B. Protect shoreline natural resources and wildlife.
- C. Enhance the view of the dark sky.
- D. Minimize the adverse effects of bright, outdoor lighting including “light trespass” and “glare”.

9.42.020 Definitions

Types of light are defined in part by their intended use and impact. Figures 1 to 4 provide basic distinctions between types of light and examples of glare and light trespass. Full definitions are in 9.04.030.

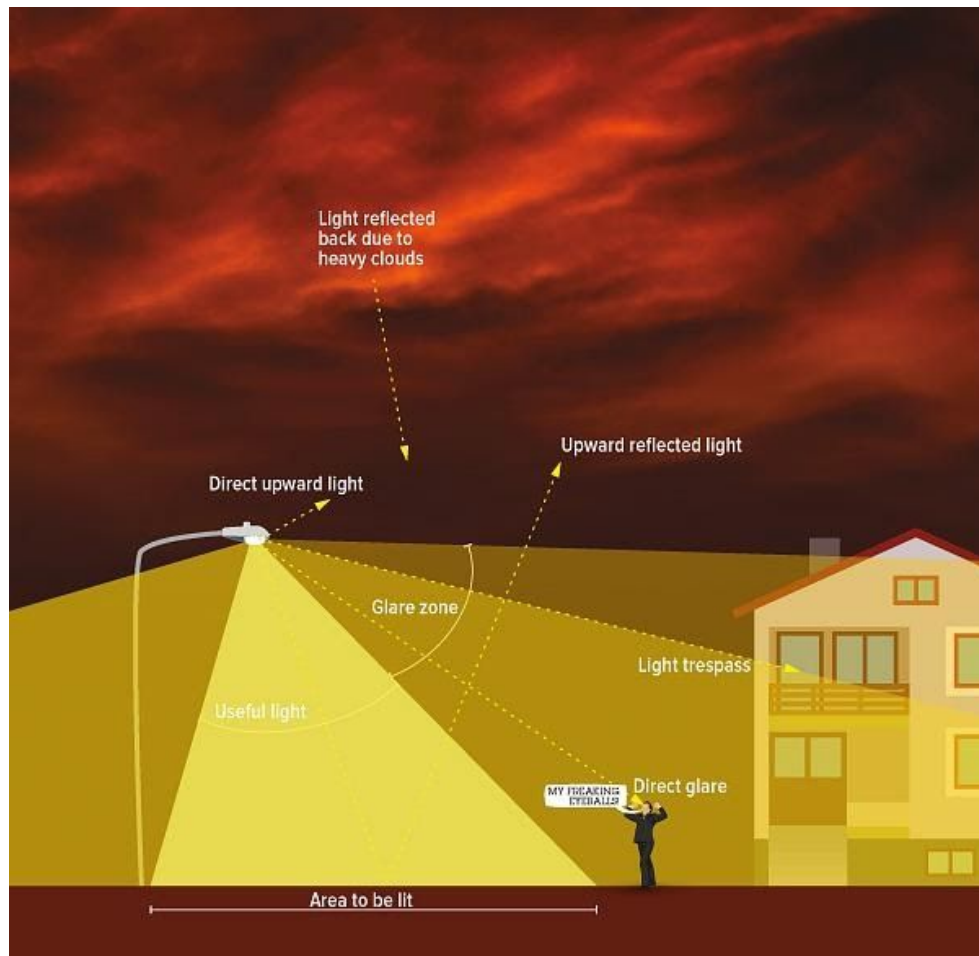


Figure 1. Types of Light

Image by Anezka Gocova, in "The Night Issue", Alternatives Journal 39:5 (2013)



Figure 2. Example of glare from a light pole.

Photo: James Lowenthal, Smith College



Figure 3. Example of glare from car headlights.



Figure 4. Light Trespass

9.42.030 General Lighting Requirements

- A. Conformance with all applicable codes. All outdoor lighting shall be installed in conformance with the provisions of this ordinance, applicable Electrical and Energy codes, and applicable sections of the City, County and State building codes.

- B. Applicability. Except as described below, all outdoor lighting installed after the date of this ordinance shall comply with the requirements specified in section 9.42. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
- C. Exemptions. The following are not regulated by this Ordinance:
1. Lighting within the public right-of-way or easement for the principle purpose of illuminating streets or roads.
 2. Lighting for public monuments and statuary.
 3. Lighting solely for signs (Covered in Chapter 9.44).
 4. Repairs to existing luminaires not exceeding twenty-five percent (25%) of the total replacement value of the luminaire.
 5. Temporary lighting for theatrical, musical, and other performance areas and construction sites.
 6. Underwater lighting in swimming pools.
 7. Temporary, seasonal lighting provided that individual lights are less than ten (10) lumens.
 8. Lighting that is only used under emergency conditions.
 9. Lighting identified and approved in a specific use permit.
 10. Lighting required by County, State, or Federal government.

9.42.040 General Standards

- A. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward, and it must be installed at the minimum height necessary so that the cutoff angle does not allow direct lighting of an adjacent property at a level exceeding one-tenth (0.1) foot-candles at twenty-five (25) feet from the light source. See examples in Section 9.42.080.
- B. All trespass lighting/light trespass that exceeds one-tenth (0.1) foot-candles at twenty-five (25) feet from the light source or at the property line is prohibited.
- C. Motion activated security lights must not be triggered by motion on adjacent properties or streets. These lights must be shielded so that they do not shine onto adjacent properties in excess of one-tenth (0.1) foot-candles at the property line.
- D. Marine lighting is prohibited.
- E. Mercury vapor lamps and metal halide lamps are prohibited.
- F. Uplighting of building and landscaping is prohibited.
- G. Lighting on buildings shall not be placed above the eaves.

9.42.050 Standards Based on Use

A. Residential Uses

1. Individual light sources on residential properties are limited to an output of eight hundred (800) lumens each. An eight hundred (800) lumen output is approximately equivalent to:
 - a. One (1) standard incandescent sixty (60) watt bulb
 - b. One (1) compact fluorescent fifteen (15) watt bulb
 - c. One (1) LED eight (8) watt bulb
2. Individual Lot Limit. The sum of the output of all outdoor lighting sources shall not exceed:
 - a. Five thousand six hundred (5,600) lumens on lots greater than zero-point-three (0.3) acres
 - b. Three thousand two hundred (3,200) lumens on lots less than zero-point-three (0.3) acres
3. Residential light sources shall be less than a color temperature of three thousand (3,000) Kelvin.
4. Lights on free standing poles higher than four (4) feet are prohibited.

B. Multi-Family Uses

1. Individual lamps on multi-family properties are limited an output of two thousand four hundred (2400) lumens each.
2. Individual Lot Limit. The sum of the output of all light sources shall not exceed two and one-half (2.5) lumens per square foot of hardscape.
3. A Requirement of a to-scale Area of Illumination Plan. A to-scale Area of Illumination Plan shall include:
 - a. To-scale plans that accurately indicate the location, type, intensity, and height of luminaires including both building-mounted and ground-mounted fixtures;
 - b. A description of the luminaires, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;
 - c. Photometric data, such as that furnished by the manufacturer superimposed over a copy of the site plan, showing the angle of light emission and the foot-candles on the ground; and
 - d. Additional information as may be required by the city in order to determine compliance with this chapter.
4. Poles for luminaires shall be limited to:
 - a. Twenty (16) feet in height for parking areas.
 - b. Fourteen (10) feet in height for walkways and pedestrian facilities.

C. Commercial Uses

1. Commercial lots shall not exceed limits on trespass lighting as specified in 9.42.040.B.
2. Except for security lighting for pathways and building doors, outdoor lighting fixtures for commercial properties must be turned off when the business is not open. When businesses are closed, residential lighting requirements apply.
3. Individual Lot Limit. The sum of the output of all light sources shall not exceed two and one-half (2.5) lumens per square foot of hardscape.
4. Requirements of a to-scale Area of Illumination Plan
 - a. New developments for commercial uses shall provide an Area of Illumination Plan drawn to scale as part of the Site Plan.
 - b. An Area of Illumination Plan drawn to scale shall be required with a change of commercial use or transfer of property for existing commercial uses.
 - c. An Area of Illumination Plan drawn to scale shall include:
 - i. The location, type, intensity, and height of luminaires including both building- and ground-mounted fixtures;
 - ii. A description of the luminaires, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;
 - iii. Photometric data, such as that furnished by the manufacturer, superimposed over a copy of the site plan, showing the angle of light emission and the foot-candles on the ground; and
 - iv. Additional information as may be required by the city in order to determine compliance with this chapter.
5. High intensity lights shall be limited to two thousand four hundred (2,400) lumens per luminaire. Due to their high energy efficiency, long life, and spectral characteristics, low-pressure sodium (LPS) lamps are the preferred illumination source. Their use is encouraged, while not required, for outdoor illumination whenever their use would not be detrimental to the use of the property. In all applications where LPS lighting is required or preferred, an acceptable alternative is narrow-spectrum amber LEDs.
6. Poles for luminaires shall be limited to:
 - a. Twenty (16) feet in height for parking lots.
 - b. Fourteen (10) feet in height for walkways and pedestrian facilities.

D. Pedestrian Ways and Parks

1. Illumination: Light shall be directed in such a manner that any changes in elevation of the walkway (e.g., steps or curbs) shall be illuminated such that said features are clearly discernible (without shadow).
2. Fixture Type: Pedestrian walkway light fixtures can be a combination of freestanding pole, bollard, in-place step or building-mounted fixtures. For building mounted fixtures, the Planning Director shall ensure that the proposed fixture type will be in scale with the building elevation on which it is to be installed. The Planning Director

may refer this latter determination to the Planning Commission.

3. Fixture Heights: Light fixtures shall not exceed the following height provisions:
 - a. Freestanding pole - Not greater than fourteen (14) feet as measured from finished grade to the bottom of the light fixture.
 - b. Building-mounted - Shall be located below the roof's eave or up to a height of fourteen (14) feet, whichever is less.
 - c. Bollard - Said fixture type shall not exceed a height of forty-two (42) inches as measured from finished grade to the top of the fixture.

E. Public Right-of-Ways

1. Shielding for street lights other than those on Highway 101 may be requested from the public utility provider.

9.42.060 Variances

To provide for reasonable interpretation of this Chapter, and in certain instances where this Chapter will produce a hardship, a property owner may apply for a variance pursuant to Chapter 9.80 of this Code.

9.42.070 Time to Become Compliant

- A. The General Standards described in 9.42.030 and 9.42.040 require compliance within one year after the passage of this Ordinance.
- B. Compliance based on extent of modification:
 1. New uses and buildings. For all proposed new land uses, developments, buildings, and structures that require a permit, all outdoor lighting installations shall meet the requirements of this Code.
 2. Additions and modifications. All building additions or modifications exceeding twenty-five (25) percent in terms of additional dwelling units, gross floor area, or parking spaces, and that require a permit, either with a single addition or cumulative additions, shall invoke the requirements of this Code. This requirement shall hold for the entire property, including both previously installed and any new outdoor lighting.
 3. If replacement or repair is required to an outdoor lighting fixture due to weather damage, accident, vandalism, or other unforeseen event, the outdoor lighting fixture may be replaced as it was previously built. Compliance to section 9.42 requirements is not required. However, if the design is changed in any way then compliance is required.
- C. Resumption of use following abandonment. If a property or use with non-conforming lighting is abandoned, all outdoor lighting shall be reviewed and brought into compliance with this Code before the use is resumed.

9.42.080 Examples

A. Example showing that bright lights are not always better for security. Glare from bright wall light masks person standing at gate.

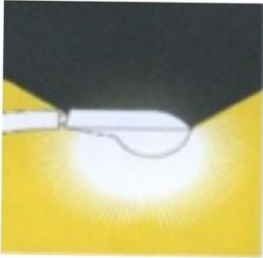


B. Example of before and after with addition of shielding on a street light. Shielded light better illuminates roadway and sidewalks. (Images from International Dark-Sky Association Intro to Lighting public materials)



C. Example of shielding reducing glare on property and providing for better illumination of area.

UNSHIELDED



SHIELDED



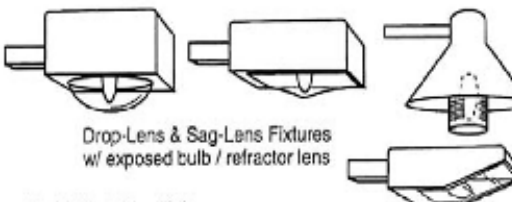
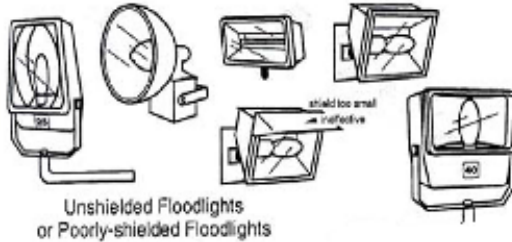
D. Examples of properly shielded light fixtures. (Images from International Dark-Sky Association Intro to Lighting public materials)

Examples of Light Fixtures

**Creates Lots of Light Pollution,
Glare and Light Trespass**

Unacceptable / Discouraged

Fixtures that produce glare and light trespass



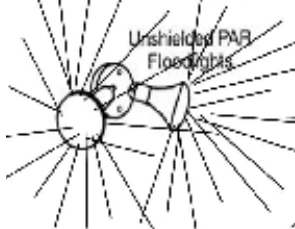
Unshielded Streetlight



Unshielded Security Light



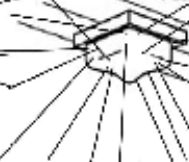
Unshielded PAR Floodlights



Unshielded 'Period' Style Fixtures



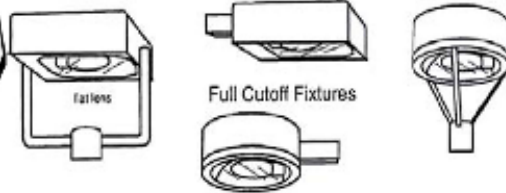
Drop-Lens Canopy Fixtures



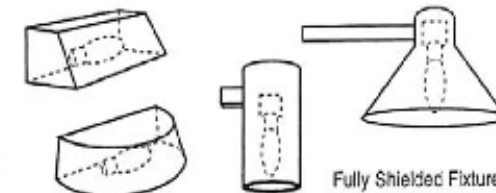
**Only Reflected Light Causes
Light Pollution**

Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Fully Shielded Wallpack & Wall Mount Fixtures



Full Cutoff Streetlight



Fully Shielded Security Light



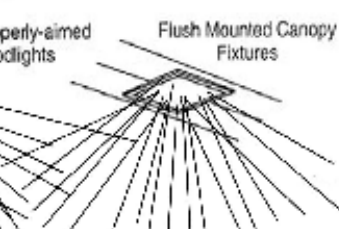
Fully Shielded 'Period' Style Fixtures



Shielded / Properly-aimed PAR Floodlights



Flush Mounted Canopy Fixtures



**UnControlled Light
About 60% Wasted Light**

Controlled Light

**Note:
Each Lamp has 16 rays of Light
Which one puts more Light on the ground?**

From International Dark-Sky Association Model Lighting Ordinance for use by municipalities)

Lighting Ordinance - comments - questions

Larry Ellington <ellington.larry@gmail.com>

Sun 10/18/2020 8:56 PM

To: Yachats City Planner <Planner@YachatsMail.org>

Cc: 'Caroline van Wagtendonk' <caroline.vanwagtendonk@gmail.com>

Holly G Hamilton, Contract Planner:

We strongly support the proposed lighting ordinance and appreciate the extensive effort of the Planning Commission. We offer the following suggestion and questions.

1. We suggest the lighting ordinance include a reference in section **9.42.040 General Standards** to the existing prohibition on exterior lighting directed onto the marine zone (public property) at **Section 5.08.165** of the Yachats Municipal code.

Section 5.08.165 Exterior lighting.

A. Exterior lighting shall not be directed from the property of the owner onto private residential or commercial property, streets, parklands, or other public properties.

2. Please clarify: **9.42.070 Time to Become Compliant**

- **A. The General Standards described in 9.42.030 and 9.42.040 require compliance within one year after the passage of this Ordinance.**

- My neighbor's porch light is very bright. Can they defer compliance until the cost to replace/repair their fixture exceeds 25% of total replacement value? Or is bulb replacement considered "replacement lighting"?
- When must an existing metal halide lamp be removed? Within one year, or when the cost to replace/repair the fixture exceeds 25% of total replacement value?

Thank you,

Larry Ellington
Caroline van Wagtendonk
841 Ocean View Dr.
ellington.larry@gmail.com

Outdoor lighting

Jean Erdahl <jean.erdahl@gmail.com>

Fri 10/9/2020 10:34 AM

To: Yachats City Planner <Planner@YachatsMail.org>

Hello. I am writing in support of the outdoor lighting ordinance to protect the environment and the beauty and our appreciation of the natural night sky. My husband and I moved to Yachats a year ago from a major downtown city after vacationing here often for 20 years. The only time we were able to see the stars at night due to the invasive lighting of the downtown was on our trips to Yachats or the occasional drive out to the countryside. We would be in awe of the features of the night sky that some people seem to take for granted such as the big dipper, the milky way and shooting stars. We are in favor of a lighting ordinance that would help eliminate invasive lighting and protect our natural environment. Ever hopeful, JeanE Erdahl

RE: For Holly G. Hamilton

lynb953@gmail.com <lynb953@gmail.com>

Tue 10/6/2020 5:49 PM

To: Yachats City Planner <Planner@YachatsMail.org>

But I don't know what those amendments contain. How can I find more info before the Zoom meeting?

M. Brown

Sent from [Mail](#) for Windows 10**From:** [Yachats City Planner](#)**Sent:** Tuesday, October 6, 2020 6:45 PM**To:** [lynb953@gmail.com](#)**Subject:** Re: For Holly G. Hamilton

Good afternoon, you are correct, the hearing is about both amendments.

We thought it a best use of city funds to combine the two amendments for notice and public hearings.

Please let me know if I can provide you with additional information on the amendments - you can also find information on the city's Web Site:

<https://yachatsoregon.org/>

Regards, Holly

Keep Lincoln County OpenHolly G Hamilton, *MJRP**Assoc. AICP*Contract Planner *for*

Oregon Cascades West Council of Governments

EMAIL:Planner@Waldport.orgPlanner@Yachatsmail.orghhamilton@OCWCOG.org**OFFICE PHONE:**

Voicemail Msg: 541-812-2002

Waldport: 541-563-3561 x 15

Yachats: 541-547-3565

HOURS FOR WALK-IN:

9:00 AM to 4:00 PM (Currently by appt.)

Mon/Thurs – Waldport

Tues/Weds – Yachats

Fri - Remote

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[Yachats, OR | Official Website](#)

Find events & meetings UPCOMING EVENTS Choose a tab to see Community Events, Classes in the Commons, City meeting schedules, or Public Works Department scheduled activities

yachatsoregon.org

From: lynb953@gmail.com <lynb953@gmail.com>

Sent: Tuesday, October 6, 2020 12:46 PM

To: Yachats City Planner <Planner@YachatsMail.org>

Subject: For Holly G. Hamilton

Ms. Hamilton

I own property within the city limits of Yachats, and am confused about a mailing I received recently from your department titled: NOTICE OF THE CITY OF YACHATS PROPOSED PUBLIC LAND USE HEARING. Is the hearing about Hazard Mitigation and Lighting Ordinance, the two titles in bold type? Or is it another matter? Can you please clear up my confusion on this?

Thank you.

Marilyn M. Brown



Virus-free. www.avg.com

Lighting by Dublin motel

Susan Macdonell <susanmacdonell1@gmail.com>

Wed 10/14/2020 3:47 AM

To: Yachats City Planner <Planner@YachatsMail.org>

My house is 820 Driftwood Lane. I have to have blackout curtains just to block the all night lighting from the Dublin motel.

The Dublin Motel has 4 very bright lights on the west side of the building on each night

They light up the whole neighborhood .At least 10 houses are impacted by this light pollution.

Yachats has some beautiful starry skies and we should reduce outdoor lighting so as to enjoy it.

I would ask the Dublin to shade their lights .

Dark sky Yachats

kent naffziger <knbuddah@gmail.com>

Sat 10/10/2020 12:55 PM

To: Yachats City Planner <Planner@YachatsMail.org>

We want to pass along our whole hearted endorsement of the lightning ordinance being considered for Yachats. As near full timers we are so thankful for the ability to observe the Milky Way in the middle of town, but only when our neighbors exterior lights are not in play. We agree that this wonderful sky can be a potential draw for visitors much as the northern lights are in other parts of the world. Our hope is that the ordinance also takes the newly minted led streetlights into account as well. The led are not healthy and are overly bright. We are so thankful that motion "security " lights and other overly bright outside lights will be directed to shine straight down as no resident nor visitors should need to sleep inside a tent atop their bed, inside their home. Thank you for taking these steps and may dark skies reign! Kent Naffziger

Sent from my iPhone

Lighting ordinance proposal

northnolan1@gmail.com <northnolan1@gmail.com>

Fri 10/9/2020 6:11 AM

To: Yachats City Planner <Planner@YachatsMail.org>

Dear Yachats City Planners,

I would like to express my wholehearted support for the new focus on lighting at residential and commercial properties in the city. My house is at the corner of Marine Drive and Ocean View, and we have been impacted negatively by neighbors lighting to the west on Marine Drive that is unshielded and overwhelmingly in trespass on our home and views. The overhead street light, which was recently changed to a new type of high intensity bulb and fixture, is far in excess of what is needed at that corner, and should be shielded to downlight at lower intensity for the benefit of all. Lastly, the south facing spotlights at the Adobe have been a constant plague on our views of the shore and the night sky. These two lamps may well be directly affecting marine life in the near shore, including the now extinct but once robust smelt spawn, as well as whale and fish activity in the area. Please, please address this serious quality of life issue and move toward the Dark Sky goal that enables all of us to live and sleep in peace with the natural surroundings we love here in Yachats.

Respectfully,

Michael and Kay Nolan
1219 Ocean View Drive
Yachats

Sent from my iPad

Date: October 13, 2020

To: Yachats Planning Commission

From: Kerry Kemp 
420 W. 1st St. (the "Property")
Yachats, OR 97498

RE: Proposed Lighting Ordinance – Comments submitted for Public Hearing 10/20/2020

Thank you for providing the opportunity to submit comments on the draft lighting ordinance ("Ordinance"). I appreciate the City's due diligence, and improper or excessive use of lighting is sometimes an issue. However, it may be government overreaching its police powers on use of property, and although I am not a lawyer it could open the city up to lawsuits if injuries or crimes occur as a result of a lack of adequate lighting. This Ordinance also creates an undue burden on the city, adding costs for administration and enforcement, as well as fostering neighborhood squabbles over compliance.

Even so, if the City decides to go forward with the Ordinance, please consider my input below.

Multi-Family and Residential Uses (definitions):

These definitions should be defined or reference specific definitions elsewhere in the Zoning Code.

Flagpoles

There is an existing 17-foot flagpole installed at the Property, which is currently unlit. There appears to be no provision for allowing lighting of the US flag in this Ordinance. Rather, it seems to disallow it.

Number/Type and Brightness of Lights

The approximately 5,000 square foot Property is Residential Use, which, according to the draft ordinance (Section 9.42.050), may have no more than 800 lumens per fixture, and 3,200 max lumens. This equates to four fixtures. There are currently six lights, which means to comply each one could provide up to 533 lumens, on average, or two fixtures would need to be removed. The question is which two? There are four doors to the house, each of which has a light for security, and they also illuminate patios and walkways for safety. The detached garage also has two lights, one illuminating the deck and the other the door. In addition, the fixtures themselves may not fit the new standards for fixture type. I am concerned that, even though none of the lights shine directly on any neighboring occupied properties—mostly it's right-of-way or state park—the Property will be forced into compliance. This, even though there is a much greater "light trespass" from the frequent vehicles that enter or exit the park. Vehicle lights are a much greater problem than lighting on the Property, which is not often used.

We have spent years improving the Property, including the lighting. All this Ordinance does is create a means to complain, to force spending more effort and money, without much public need or benefit.

Variances

The Ordinance seems to be "one size fits all" with the only flexibility via applying for a variance based on "hardship" (whatever that means), which will cost fees and may or may not even be approved. The Property has been developed since the 1950's, with the garage dating from the 1980's. There should be some mechanism for grandfathering or for allowing non-conforming uses.

Thank you for your consideration.

John Purcell
116 Spring Hill Road
P.O.Box 161
Yachats, OR. 97498

October 20, 2020

To: Planning Commission, City of Yachats

Re: Public Comments, Proposed City of Yachats Lighting Ordinance

Dear Planning Commission,

First and foremost, thank you for addressing the lighting ordinance. Your time has been well spent and the draft, well crafted.

As a brief introduction, I was involved in electrical engineering, lighting design, and commercial electrical construction for twenty one years of my career. During that time I was able to gain an understanding of the often complicated and complex world of lighting. With that in mind, I would like to offer my limited experience to try and answer any questions that the Commission might have regarding exterior lighting.

With specific regard to the Draft, I'd like to offer the following comments:

9.04.030 Definitions

Item D: Even though we're all somewhat used to the term, the use of "watts" or "wattage" can be misleading especially with the advent of LED. To help I suggest that the last sentence of this section be reworded as follows:

"As an example, an 800 lumen lamp (equivalent to an old style 60 watt incandescent lamp) produces an illuminance of one-tenth (0.1) foot candle ('lumen') at a distance of about twenty-five (25) feet."

Item I: I suggest that you add the word "exterior" to better define the section.

9.42.50 Standards Based on Use

A. Residential Uses

Item 1: I recommend that you strike "b" & "c" - improvements to both fluorescent and LED lights continue to be able to provide more lumens per watt. The way its written, a homeowner could install more efficient 8 watt LED lamps claiming

conformance while in fact, the new LED lighting may be shedding more than 800 lumens.

B. Multi-family Uses

1. The Draft allows lamps up to two thousand four hundred lumens each. That's three times the allowable limit for a single family residence. That's a lot of light and I don't see a benefit.

3. Add or clarify that the owner/developer "shall provide" a to-scale Area of Illumination Plan.

4. Subsections "a" and "b" are both in conflict ("Twenty (16), and Fourteen (10)")

C. Commercial Uses

General Comment). As I understand it, Yachats allows residential home(s) to be built on commercially zoned properties and when that happens, at least one "commercial benefit" gets extended to the "residential" restrictions: the residence is allowed to exceed the percentage of property coverage (currently 40%) imposed on residential lots and instead use the coverages allowed for a commercial development. The way the Draft is written (Section 4.b and others), a single family dwelling built on a commercial lot could be allowed to use higher lumen fixtures and incorporate more lumens per property.

5. The Draft "encourages" the use of LPS (Low Pressure Sodium) lamps due to their reputation for benefiting dark sky's. While this was true years ago, the advent of LED lamps has made LPS lamps somewhat obsolete. More to the point, Emergency Service Providers disliked LPS because of the lamp's extremely limited color rendition - at an accident scene under LPS lamps, EMS, Police and Fire Crews could not differentiate between blood, water or gasoline. I recommend that the Draft cut the second and third sentences while retaining the first and the fourth.

6. Subsections "a" and "b" are both in conflict ("Twenty (16), and Fourteen (10)")

Thank you for taking the time to review my comments. Again: good job.

John Purcell



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MEMORANDUM

DATE: October 20, 2020

TO: Planning Commission, City of Yachats

FROM: Holly Hamilton, Contract Planner
OCWCOG

RE: Hazard Mitigation and Lighting Ordinance
Proposed Comprehensive Plan Goals and Policies
Proposed Development Code Amendments

1. **Issue/Question:** Does the **Municipal Code** address lighting within the City of Yachats in a manner which supports the goals of the Comprehensive Plan?

Explanation: The Municipal Code currently addresses lighting minimally and without specificity; restricting exterior lighting directed to adjacent property (broadly defined by use).

See **Section 5.08.165 Exterior lighting**.

A. Exterior **lighting** shall not be directed from the property of the owner onto private residential or commercial property, streets, parklands, or other public properties.

The City of Yachats **Comprehensive Plan GOAL D** *Conservation of Energy* and **GOAL G** *Control of Urban Growth and Form to sustain the small-town, ocean-side character of the Yachats Community* support the addition of a comprehensive lighting strategy which requires energy efficient lighting standards and addresses the adverse effects of bright, outdoor lighting, light trespass and glare.

The Planning Commission initiated textual changes to YMC Title 9.0, Lighting Standards and Requirements, 9.42 as follows:

Code:

PART I

9.04.030 Definitions (Municipal Code)

PART II

9.42.010 Purpose
9.42.020 Definitions
9.42.030 General Lighting Requirements
9.42.040 General Standards
9.42.050 Standards Based on Use
9.42.060 Variances
9.42.070 Time to Become Compliant
9.42.080 Examples

The development of a comprehensive lighting ordinance pre-dates my arrival to the Planning Desk for the City of Yachats. Municipal lighting code research began in 2017 and has been reviewed through planning commission meetings and work sessions conducted during the last two years.

Comments from the community over the last two weeks have been largely positive, and those that contain questions for the Commissioners follow this report.

2. **Issue/Question:** Is the Yachats Comprehensive Plan and Municipal Code aligned with the Goals of the State to incorporate highest / best strategies for Hazard Mitigation?

Explanation:

The City of Yachats received a Coastal Resilience Grant from the Oregon Coastal Management Program for March through July 2020. The goal of the grant was to utilize best available data and resources to review and update portions of the **Yachats City Comprehensive Plan and Municipal Code**.

The resulting review effected new language / process for the protection of Yachats' natural resources.

Goal A:	Protection of Natural Resources (General)
Goal B:	Protection of Estuarine Resources
Goal C:	Protection of Shoreland Resources
Goal E:	Protection from Natural Hazards and Disasters, and
Goal L:	Beaches

and related **Municipal Codes:**

Sections	9.04.030	(Definitions)
	9.52.050	(Hazard Areas)
	9.52.100	(Older Stabilized dune construction)
	9.52.130	(Development on Beaches).

The City of Yachats held several work sessions including a City Council and Planning Commission joint work session on June 4th, a Planning Commission work session on July 7th, and a Planning Commission work session on July 21st.

Comments Summary:

Mr. Ellington and Ms. Van Wagtendonk

- Recommended - Reference to 5.08.165
- Requested clarification on compliance (fixture vs. bulb)

Ms. Erdhal

- Supporting the Ordinance generally

Mr. Brown

- Requested additional information, and I provided a link to the city's website

Ms. Macdonell

- Resides adjacent to the Dublin Motel – which has 4 very bright lights on their west elevation affecting approximately 10 homes. She is requesting that the motel address this issue.

Mr. Kent Naffziger

- Expressed general support for shielding
- Concern regarding brightness of LED lights

Mr. and Mrs. Nolans

- North Yachats
- Noted brightness of new streetlights
- Supports shielding of light fixtures
- Expressed concern with regard to the Adobe Motel Lighting and how it may affect marine life

Mr. Kemp

- Expressed concern about maximum allowable lumens per residence (for large residences)
- Clarification regarding applicability of variance applications vs. grandfathered in fixtures