

## **Minturn, Colorado Charter and Municipal Code Sec. 16-17-180**

HOME RULE CHARTER AND CODE of the CITY OF MINTURN, COLORADO Codified through Ordinance No. 9-2020, adopted August 5, 2020. (Supp. No. 10)

**Colorado Municipal Codes > Colorado > Minturn Charter and Municipal Code > MUNICIPAL CODE > CHAPTER 16 Zoning > ARTICLE 17 Supplemental Regulations and Standards**

### **§ Sec. 16-17-180 Exterior illumination standards.**

(a) Purpose and intent. The purpose of this Article is to establish rules and regulations governing the installation of outdoor lighting in the Town. These regulations are intended to:

- (1) Promote appropriate light for safety and security;
- (2) Help preserve the small town character;
- (3) Prevent inappropriate and poorly designed or installed outdoor lighting;
- (4) Reduce glaring and offensive light sources;
- (5) Reduce nighttime light pollution and protect the night sky;
- (6) Provide clear guidance pertaining to exterior light fixtures for developers and homeowners; and
- (7) Phase out existing nonconforming fixtures that are in violation of this Article, including those owned by the Town.

(b) Definitions. For the purpose of this Article, the following definitions shall apply:

*Exterior lighting* means permanent lighting that is installed, located or used in such a manner to cause light rays to shine outdoors.

*Full cut-off fixture* means a light fixture designed and installed where no direct light (as opposed to scattered light) is emitted at or above a horizontal plane running through the lowest point on the fixture.

*Glare* means intense light that results in discomfort and/or a reduction of visual performance and visibility.

*Holiday/ornamental lighting* means festoon-type lights.

*Light pollution* means any manmade light that diminishes the ability to view the night sky.

*Light trespass* means light falling on the property of another or the public right-of-way, when it is not required to do so.

(c) Applicability. These lighting standards shall be applicable to all new construction in the Town. Additionally, residents and business owners are required to replace all nonconforming exterior light fixtures when a building permit is issued for any exterior project with a permit valuation greater than or equal to one thousand five hundred dollars (\$1,500.00). Business owners and residents with nonconforming fixtures are encouraged to comply with these regulations when replacing older fixtures.

(d) General outdoor lighting regulations. The following regulations shall apply to all properties located within the Town:

(1) All exterior lighting shall be shielded such that the source of illumination is not visible from the property line, thereby reducing glare and interference with boundary streets and adjacent properties. Light fixtures near adjacent property may require special shielding devices to prevent light trespass.

(2) All lighting shall conform with the definition for a full cut-off fixture.

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- (3) All exterior lighting or illumination shall be designed, located, placed and shielded to be architecturally and aesthetically in keeping with the buildings and surroundings, should create minimum visual impact on any other lot, tract or parcel in the Town, shall not directly illuminate adjoining lots, tracts, parcels or rights-of-way, including alleys, and shall comply with this Article.
- (4) Floodlights and security lights shall be restricted as follows:
  - a. The point light source shall not be visible from neighboring lots or streets.
  - b. The light must comply with the definition of a full cut-off fixture, be down-directed and screened from adjacent properties in a manner that prevents light trespass.
- (5) Motion sensor lights may be permitted, but only where the sensor is triggered by motion within the owner's property lines.
- (6) Exterior lighting fixtures shall be mounted no higher than ten (10) feet above the flooring, deck, walkway, driveway or other occupied area or highest grade point of the ground surface immediately below the light fixture. The height of the fixture shall be the vertical distance from the surface directly below the centerline of the fixture to the lowest direct light-emitting part of the fixture. For mixed-use and commercial buildings, the height may be extended to fifteen (15) feet.
- (7) Exterior fluorescent tube lighting shall be prohibited in all cases.
- (e) Lighting plan required. To ensure that all new construction complies with the lighting standards, a lighting plan shall be submitted for all new construction in the Town. A lighting plan for residential projects can be reviewed by the Town Planner and Building Official and processed administratively prior to the issuance of a certificate of occupancy. However, a lighting plan shall be submitted at the time of application for all mixed-use and commercial projects and shall be approved by the Planning Commission. The lighting plan shall include the following information:
  - (1) The type and luminous intensity of each light source and wattage (e.g., incandescent, halogen, high-pressure sodium, etc.).
  - (2) Fixture location and height above grade of each light fixture.
  - (3) Shielding and all mounting details.
  - (4) A specification sheet or photo of each light fixture.
  - (5) Other information deemed necessary to document compliance with the provisions of the lighting regulations.
- (f) Exemptions. The following exterior light fixtures shall be exempt from the regulations contained in this Article:
  - (1) Illumination of the United States flag, provided that such lighting does not interfere with the vision of drivers or pedestrians or otherwise create an unsafe condition for the public. No more than two (2) lights per pole are permitted.
  - (2) Lights and lighting devices which are part of a Town event or public gathering, so long as the event or gathering is of a temporary nature.
  - (3) Holiday/ornamental lighting.
  - (4) Construction lighting used for the purpose of illuminating construction work activities, provided that the illumination source is directed internally towards the project site and is turned off each night when work is halted.
  - (5) Any light source that is used by an emergency service provider.
- (g) Enforcement and penalty. The violations of any of the regulations contained herein shall be deemed by the Town as a public nuisance, and such nuisances may be abated or prosecuted in accordance with the procedures established within this Code.

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- (h) Figures and diagrams. The following figures illustrate examples of acceptable and unacceptable types of outdoor lighting fixtures. Note that even those types of fixtures shown as "acceptable" must be installed and aimed properly to comply with this Section.

Unacceptable  
Spotlights

Acceptable

Wall Mounted

Decorative

Street Lighting

Properly shielded fixture with no light trespass:

Light trespass from an unshielded fixture:

**HISTORY NOTE:**

(Ord. 2, 2010 1)

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