

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-16**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO
AMENDING THE LAND DEVELOPMENT CODE REGARDING
OUTDOOR LIGHTING**

WHEREAS, pursuant to Section 31-23-305, C.R.S., the Board of Trustees may adopt, alter or amend zoning and regulations; and

WHEREAS, the Palisade Board of Trustees desires to amend the Land Development Code regarding outdoor lighting to minimize light pollution; and

WHEREAS, the Town's Planning Commission has recommended to the Board of Trustees that the amendments to the Land Development Code contained in this Ordinance be adopted; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-306, C.R.S., on August 2, 2022 a public hearing was held before the Planning Commission to consider a recommendation of an amendment of the Land Development Code to the Board of Trustees as set forth herein, following public notice as required by law; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-304, C.R.S., on August 23, 2022 a public hearing was held before the Board of Trustees to consider the amendment of the Land Development Code as set forth herein, following public notice as required by law; and

WHEREAS, the Board of Trustees finds and determines that the amendments to the Land Development Code, as contained herein, are necessary and designed for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Palisade and are consistent with the Town's Comprehensive Plan and the Town's other goals, policies and plans.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Land Development Code Section 10.05 is hereby amended **with new additions underlined and deletions in ~~strikethrough~~** as shown on Exhibit A attached hereto and incorporated herein by this reference.

Section 3. Land Development Code Section 10.01.D.5 is hereby amended **with new additions underlined and deletions in ~~strikethrough~~** as follows:

Section 10.01 Off-Street Parking and Loading Requirements

D. Design Standards

5. Lighting

Where off-street facilities are provided for parking or any other vehicular use, adequate outdoor lighting shall be provided. Lighting shall be so arranged as to direct the light and glare away from streets and adjacent property (~~see consistent with the requirements of~~ Section 10.05, Outdoor lighting).

Section 4. Land Development Code Section 9.05.D is hereby amended **with new additions underlined and deletions in ~~strikethrough~~** as follows:

Section 9.05 Utilities

D. Street Lighting

The subdivider shall be responsible for the installation and cost of street lighting in all subdivisions in accordance with the requirements of this Section.

1. Prior to installation of street lighting, a street lighting design plan shall be approved by the Community Development Director, including determination of the location and number of street lights. Streetlights shall be located so as to be of general benefit to the surrounding neighborhood. The developer shall be required to provide and install ~~ornamental metal standard and high pressure sodium vapor lamps~~ light poles where determined on the approved street lighting design plan on public streets in subdivisions within the Town limits.

2. The type of equipment, method of installation and location of the wiring and light poles shall meet the minimum standards and requirements of the electric company from which electricity is to be purchased and the requirements of Section 10.05.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on August 23, 2022.

TOWN OF PALISADE, COLORADO


By:


Greg Mikolai, Mayor



Town of Palisade, Colorado
Ordinance No. 2022-16
Page 3 of 3

ATTEST:



Keli Frasier, Town Clerk

EXHIBIT A

Section 10.05 Outdoor Lighting

A. Purpose

The purpose of this Section is to ensure that ~~vehicle circulation, pedestrian, parking and other areas have adequate outdoor lighting to provide safety at night, while limiting the negative impacts on adjacent properties.~~

outdoor lighting in the Town meets the following principles identified by the International Dark-Sky Association (IDA):

1. Useful: All light should have a clear purpose;
2. Targeted: Light should be directed only to where needed;
3. Low Light Level: Light should be no brighter than necessary;
4. Controlled: Light should be used only when it is useful;
5. Color: Use warmer color lights where possible;

B. Applicability

1. All new ~~development~~ lighting installed after the adoption of this section shall comply with the standards of this Section.

~~2. Where a building, structure or use existed as of the effective date of this Section and such building is enlarged in gross floor area or impervious area on the site by no more than ten percent (10%) or two thousand (2,000) square feet, whichever is less, outdoor lighting as specified in this Section shall not be required.~~

~~3.~~ 2. The following shall be exempt from the outdoor lighting requirements of this Section:

~~a. Fixtures (luminaries) with a light output of less than one thousand (1,000) lumens.~~

~~b. Public recreational playfield lighting; and~~

~~c. Fixtures with a light output of more than one thousand (1,000) lumens may be allowed with an active or activated motion sensor.~~

a. Illumination of the United States flag, provided that such light does not interfere with the vision of drivers or pedestrians;

b. Lights which are a part of a Town event or public gathering, so long as the event or gathering is of a temporary nature;

c. Holiday lighting;

d. Construction lighting used for the purpose of illuminating construction work activities, provided that the illumination source is directed internally toward the project site and is turned off each night when work is halted.

C. Outdoor Lighting Principles

1. Useful:

a. Outdoor lighting shall primarily be used to provide safety while secondarily accenting key architectural elements and to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of the project. This may be accomplished through style, material or color.

b. 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. The lighting plan shall include the following information:

The type and luminous intensity of each light source and wattage;

Fixture location and height above grade of each light fixture;

Shielding and mounting details;

Tear sheets for all lighting fixtures (luminaries) to be installed on site shall be required;

Other information deemed necessary to document compliance with the provisions of the lighting regulations.

2. Targeted:

a. Lighting used to illuminate commercial sites and parking areas shall be arranged, located or screened to direct light or shield the light away from any adjoining or abutting residential premises, district or use.

b. Lighting shall not be oriented so as to direct glare or excessive illumination onto streets or rights-of-way in a manner that may distract or interfere with the vision of drivers on such streets.

c. All lighting, including any exterior floodlights, shall be shielded so that substantially all emitted light falls within the property line of the property from which the light emanates.

3. Low Light Level:

a. The following light fixtures and sources shall not be used within the Town where the direct light emitted is visible from adjacent areas:

Low-pressure sodium and mercury vapor light sources;

Cobra-head-type fixtures having dished or drop lenses or refractors which house other than incandescent sources; and

Searchlights and other high-intensity narrow-beam fixtures.

b. Illumination using bare illuminated tubing that completely outline or define property lines, sales areas, roofs, doors, windows or similar areas in a manner that is not primarily for safety purposes is prohibited.

4. Controlled:

a. The use of sensor technologies, timers or other means to limit lighting to periods of activity may be required by the Community Development Director to conserve energy, provide safety and promote compatibility between different land uses.

5. Color:

a. Maximum temperature is 3500 Kelvin (K).

C. Prohibited Light Sources

The following light fixtures and sources shall not be used within the Town where the direct light emitted is visible from adjacent areas:

1. Low-pressure sodium and mercury vapor light sources;

~~2. Cobra-head type fixtures having dished or drop lenses or refractors which house other than incandescent sources; and~~

~~3. Searchlights and other high-intensity narrow beam fixtures.~~

D. Lighting Design Requirements

~~Outdoor lighting shall primarily be used to provide safety while secondarily accenting key architectural elements and to emphasize landscape features. Light fixtures shall be designed as an integral design element that complements the design of the project. This may be accomplished through style, material or color.~~

All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

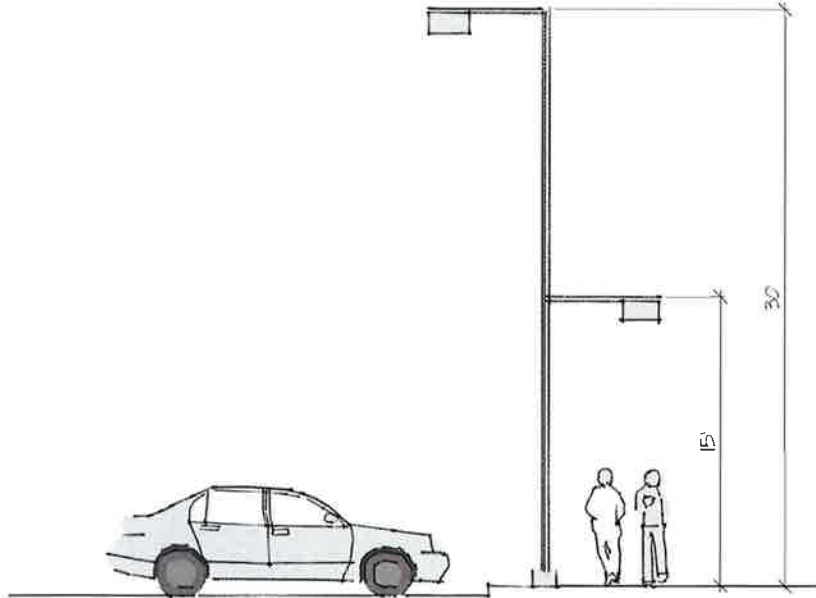
1. Fixture (luminaire)

The light source shall be concealed and shall not be visible from any street rights-of-way or adjacent properties. In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent properties, all lighting fixtures shall be full cutoff fixtures.

2. Fixture height

Lighting fixtures shall be a maximum of ~~thirty (30)~~ twenty (20) feet in height within parking areas and shall be a maximum of fifteen (15) feet in height within non-vehicular pedestrian areas. All light fixtures located within fifty (50) feet of any residential use or residential property boundary shall not exceed fifteen (15) feet in height.

Illustration 10-9: Light Fixture Height Standards



3. Light source (lamp)

Only LED (light emitting diode), incandescent, fluorescent, ~~metal halide~~ or color corrected high-pressure sodium may be used. The same light source type shall be used for the same or similar types of lighting on any one (1) site throughout any development.

4. Mounting

Fixtures shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.

~~5. Limit lighting to periods of activity~~

~~The use of sensor technologies, timers or other means to activate lighting during times when it will be needed may be required by the Community Development Director to conserve energy, provide safety and promote compatibility between different land uses.~~

E. Specific Standards

1. Security lighting

- a. Building-mounted security light fixtures such as wall packs shall not project above the fascia or roof line of the building and shall be shielded.
- b. Security fixtures shall not face a residential property.
- c. Security fixtures shall not be substituted for parking area or walkway lighting and shall be restricted to loading, storage, service and similar locations.

2. Accent lighting

Only lighting used to accent architectural features, landscaping, art or that employs a particular historic and thematic style ~~as preferred by the Comprehensive Plan~~ such as Victorian lamp posts, may be directed upward.

3. Canopy area lighting

All development that incorporates a canopy area over fuel sales, automated teller machines or similar installations shall use a recessed lens cover flush with the bottom surface of the canopy that provides full cutoff or shielded light distribution.

~~4. Tear sheets required~~

~~Tear sheets for all lighting fixtures (luminaries) to be installed on site shall be required.~~

F. Entrances and Exits in Nonresidential and Multifamily Development

All entrances and exits to buildings used for nonresidential purposes and open to the general public, along with all entrances and exits in multifamily residential buildings, shall be adequately lighted to ensure the safety of persons and the security of the building.

G. Commercial Parking Area Lighting

All commercial parking areas shall be required to provide lighting only during nighttime hours of operation.

H. Excessive Illumination

1. Lighting within any lot that unnecessarily illuminates and interferes with the use or enjoyment of any other lot is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the requirements of this Section or if the standard could reasonably be achieved in a manner that would not interfere with the use or enjoyment of neighboring properties. 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 the Palisade Municipal Code.

~~2. Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers on such streets.~~

~~3. All lighting, including any exterior floodlights, shall be shielded so that substantially all emitted light falls within the property line of the property from which the light emanates.~~

~~4. Illumination using bare illuminated tubing or strings of lights that completely outline or define property lines, sales areas, roofs, doors, windows or similar areas in a manner that is not primarily for safety purposes is prohibited, except for temporary holiday displays.~~

~~5. All lighting fixtures used to illuminate an off-street parking area shall be arranged so as to direct or shield the light away from any adjoining residential premises.~~

~~6. Lighting used to illuminate commercial sites and parking areas shall be arranged, located or screened to direct light away from any adjoining or abutting residential district or use or any street rights-of-way.~~