



To: Minturn Planning Commission
From: Scot Hunn, Consulting Planning Director
Date: December 19, 2024
Agenda Item: Ordinance No. TBD, Series 2025

Staff have attached a draft ordinance for the Planning Commission’s review and consideration at their regular meeting of January 8, 2024.

Recently, the Town reviewed and adopted minor revisions to Section 16-17-180 - *Exterior illumination standards*, to allow for seasonal uplighting of the historic Minturn Water Tank for Town purposes. During their deliberations to approve Ordinance No. 19, Series 2024, the Minturn Town Council discussed the Town’s dark or “night” sky lighting restrictions as well as exemptions within the Minturn Municipal Code that allow for holiday or ornamental lighting. The Council was most interested in understanding how the Town regulates or enforces exterior lighting restrictions and whether there should or could be limits placed on the time of day when non-permanent holiday lighting can be displayed. Staff were then directed to facilitate a follow-up discussion related to holiday lighting.

At the regular Council meeting of November 20th, 2024, staff presented existing lighting regulations and definitions for “Exterior lighting” and “Holiday/ornamental lighting” and highlighted some issues with the current regulations and definitions. Namely, the current definition of holiday/ornamental lighting is problematic because it states that holiday or ornamental lighting means “festoon lighting.” Staff disagrees with this (holiday lighting and “festoon” or café-style lighting are different) and, ultimately, the Council gave direction to staff to present an ordinance amending Section 16-17-180 to update the definition of “Holiday lighting” and to add a separate definition for “Festoon lighting” – to differentiate between the two forms of lighting and, therefore, to allow for better regulation of both.

Additionally, the Council gave staff direction to amend Section 16-17-180 to add a time limit (dawn or sunrise to 10pm) when holiday lighting can be turned on, while allowing festoon lighting – typically considered “café” style lights that people use in their backyards year round or which are used for commercial outdoor seating year round – to be considered as permanent and therefore not limited to time limits that will apply to holiday lighting.