

ELK STREAM RANCH

A Colorado Common Interest Community
Located in T36N R13W, T35N R13W, T36N R12W and T35N R12W, N.M.P.M
Montezuma County and La Plata County, Colorado

Elk Stream Ranch Property Owners Association, Inc.
A Colorado Non-Profit Corporation

POLICIES

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POLICY #17-2020: EXTERIOR LIGHTING “DARK SKY” POLICY

Adopted _____, 20__
Amended _____, 20__

The following policy has been adopted by the Elk Stream Ranch Property Owners Association, Inc., a Colorado non-profit corporation (“Association”) pursuant to C.R.S. §38-33.3-209.5, and in accordance with C.R.S. §38-33.3-123, §38-33.3-315, §38-33.3-316, the Governing Documents of the Association, and the Act, at a regular meeting of the Board.

Purpose: The Board, on behalf of the interests of many Members, desires to prevent light pollution within Elk Stream Ranch, through the adoption of a “Dark Sky” policy.

Under this Policy, exterior lighting levels and the exterior light sources shall be controlled to protect views of the natural night sky. This "Dark Sky" policy will serve to reduce light pollution so that night sky features can be clearly seen without compromising public safety, protect aesthetic interests, promote energy conservation, prevent glare, reduce the ill effects of unnatural lighting on the environment, minimize the impact on wildlife, and promote and support astronomical research within Elk Stream Ranch.

Therefore, the purpose of this policy is to establish uniform standards for exterior lighting in order to preserve and protect our rural “Dark Sky” through the minimization of night-time light pollution without compromising public safety.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing exterior lighting within Elk Stream Ranch:

1. Applicability.

a. Existing Exterior light Fixtures. This policy is not applicable to existing exterior lighting in operable and functioning condition. This policy does apply to all new construction, additions, and maintenance of existing lighting, including actions that do not require Design Review Committee (DRC) review such as the replacement of burned-out light bulbs.

2. General Requirements.

a. All exterior lighting shall be shielded. The direct source of all exterior lighting shall not be visible from any Common Area in Elk Stream Ranch. The light source shall be shaded or shielded, and directed downward so that the light intensity or brightness will not be objectionable to people in surrounding areas or create a traffic hazard to passing motorists.

b. Exterior lighting shall be low intensity and conform to the "Dark Sky" objective of being downward projecting, full cut off illumination that shields the light from being directed upwards toward the night sky and surrounding areas. "Full Cut Off" means that the light source shall not extend beyond the fixture shade or shield.

c. Light sources must be oriented on any structure so as to not offend those on neighboring lots.

d. Glare. No proposed land use shall be conducted so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.

3. Lumen Limitations and Prohibited Light Sources.

a. The Lumen rating for any single fixture or light bulb shall not exceed 1800 lumens or 100 watts. Momentary use security and emergency lights may have up to 3500 lumens per fixture. Closely spaced series of light fixtures can be considered as a nuisance.

b. Prohibited lighting sources include but not limited to the following; high intensity LED lights, mercury vapor, low/high pressure sodium fluorescent, neon, metal halide, laser, and black lights.

4. Colored Lights.

a. Colored lights and flashing lights are prohibited except for holiday display lighting, including 30 days before and 2 weeks after a designated federal holiday.

5. Exception for Security and Emergency Lights.

a. Security or emergency flood light fixtures, including motion sensor lights, shall be permitted for momentary use provided they are not aimed upwards or towards Association roads or neighboring residences. Momentary use security and emergency lights may have up to 3500 lumens per fixture.

6. Design Review Requirements.

a. For any new construction or any addition or remodel that requires DRC review, all

exterior lighting types, fixtures and locations must be shown on the lighting plan and must be approved by the DRC.

7. Enforcement Procedures and Fines.

a. Violations of this Policy shall be a Category 1 Violation and subject to procedures and fines in accordance with ESR Policy #5-2010.

8. Waivers.

a. The Association may, upon application and review under ESR Policy requirements, waive any provision of this Policy if circumstances are found to warrant the requested waiver.

PRESIDENT’S CERTIFICATION: The undersigned, being the President of the Elk Stream Ranch Property Owners Association, Inc., a Colorado Non-Profit Corporation, certifies that the foregoing Resolution was approved and adopted by the Board, at a duly called and held meeting of the Board on (date)_____ and in witness thereof, the undersigned has subscribed his name.

Elk Stream Ranch Property Owners Association, Inc.,
a Colorado Non-Profit Corporation

By: _____
_____, President

ATTEST

By: _____
_____, Secretary / Treasurer