



Land Use

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**BOULDER COUNTY
BOARD OF COUNTY COMMISSIONERS**

**July 26, 2016 – 3:15 P.M.
Hearing Room, Third Floor
Boulder County Courthouse**

PUBLIC HEARING

Docket DC-16-0001: Proposed Boulder County Land Use Code Amendments to Article 13 Signs

STAFF PLANNER: Kathy Sandoval, Planner II

BACKGROUND:

Staff prepared a general update to the Boulder County Sign Code, Article 13, to ensure compliance with the recent U.S. Supreme Court ruling in *Reed v. Town of Gilbert*. The proposed text amendments contain changes to the County's method for noncommercial sign regulation while continuing to protect aesthetic qualities by preventing visual clutter, protecting scenic views, and preserving Boulder County's rural character. Staff reviewed the provisions of the Article, drafted new or modified existing language, and removed unnecessary or outdated sections.

The U.S. Supreme Court's 2015 ruling in *Reed v. Town of Gilbert* applied a new high standard of scrutiny to sign regulations that are based on the content of the sign. In 2005, Gilbert Arizona adopted a municipal sign ordinance that placed stricter limitations on temporary signs advertising religious services other than non-commercial signs. The Court determined that this type of content-based sign regulation violated the First Amendment under a strict scrutiny standard. This ruling raised questions regarding the constitutional validity of certain sign code provisions commonly adopted in jurisdictions throughout the United States. The proposed revisions to Article 13 regulate non-commercial signs based on content neutral factors such as sign type, zoning district, and use of the parcel. The Supreme Court indicated that these types of content neutral regulations conform to the First Amendment requirements.

SUMMARY OF PROPOSED CHANGES

On January 21, 2016, the Board of County Commissioners authorized staff to pursue text amendments to the Boulder County Land Use Code. Staff proposes changes to several areas of the Land Use Code under Article 13 – Sign.

- Article 13-200 – General Provisions
- Article 13-300 – Definitions
- Article 13-400 (B) – Sign Area, Height and Illumination
- Article 13-500 – Prohibited Signs
- Article 13-600 (A)(B)(C)(D)(E) – Sign Regulation Governing Specific Zone Districts
- Article 13-700 – Temporary Signs
- Article 13-800 – Sign Plaza
- Article 13-900 Permits Required

A summary of the changes to each section as well as detailed proposed changes are provided below following the Planning Commission summary.

PUBLIC NOTICE AND INVOLVEMENT

Notification of these proposed Land Use Code text amendments has been made through several forums including:

- May 6, 2016 - Formal referral sent via email and postal service to applicable County referral agencies.
- May 9, 2016 – Formal referral sent via email to 907 email addresses comprising the Boulder County Land Use Code ListServ.
- May 9, 2016 – Docket information including a draft of the text amendments was posted to the Boulder County Development Applications webpage at:
<http://www.bouldercounty.org/property/build/pages/lucodeupdatedc160001.aspx>
- June 1, 2016 – Public notice for the June 15, 2016 Boulder County Planning Commission Hearing was posted in the Daily Camera and the Times Call. Public comment was taken at this hearing.
- June 8, 2016 – The staff recommendation for the June 15, 2016 Planning Commission meeting including a draft of the revised proposed text amendments was sent via email to 907 email addresses comprising the Boulder County Land Use Code email list and was posted to the Boulder County Development Applications webpage at:
www.bouldercounty.org/property/build/pages/lucodeupdatedc160001.aspx
- June 15, 2016 – A public hearing was held before the Boulder County Planning Commission. Public testimony was taken. The docket unanimously recommended for approval by a 6 to 0 vote.
- June 15, 2016 – Article posted in the Times Call and Daily Camera and by John Fryar titled “Panel supports proposed changes to Boulder County sign code”
www.timescall.com/longmont-local-news/ci_30020331/panel-supports-proposed-changes-boulder-county-sign-code
- July 8, 2016 – Public notice for the July 26, 2016 Boulder County Board of County Commissioners Hearing was posted in the Daily Camera and the Times Call.
- July 18, 2016 – The staff recommendation for the July 26, 2016 Board of County Commissioners hearing including a draft of the revised proposed text amendments was sent via email to 907 email addresses comprising the Boulder County Land Use Code email list and was posted to the Boulder County Development Applications webpage at:
www.bouldercounty.org/property/build/pages/lucodeupdatedc160001.aspx
- July 26, 2016 – This docket is scheduled for a public hearing before the Boulder County Board of County Commissioners. Public comment will be taken at this hearing.

REFERRAL RESPONSES AND PUBLIC COMMENTS:

The referral responses received by the Land Use Department are summarized below:

Boulder County Transportation Department – This agency reviewed the proposal and noted minor clarifications in section 13-200 (E) and in 13-500 (14).

International Sign Association (ISA) – This agency reviewed the proposed text amendments and noted a number of references to content, by categorizing temporary real estate signs. They recommended that the County consider some reasonable standards for Electronic Message Centers (EMCs), accommodate neon signs, and delete section b. of the internally illuminated signs requiring the use of semi-opaque materials for signs. They also recommended that the 150 nits limitation for internally illuminated was not necessary. The Association expressed that administering the “semi-

opaque” requirement would be difficult. They also believed that concerns about excessive brightness of internally illuminated signs were not warranted. The Association highlights that light emanating from internally illuminated signs will be diffuse by virtue of the use of internal illumination. The Association also expressed concerns about Boulder County’s sign permit application process, indicating that requiring in-person submittal and pick-up of the application is onerous (in comparison with an online process used in other jurisdictions). The Association also recommended additional language to address free speech due to the Reed v. Town of Gilbert that includes, “to ensure that the constitutionality guaranteed right of free speech is protected”. In addition, the Association requested that the county’s method for measuring sign area include provisions for signs that include multiple geometric shapes. The Association challenged the proposed regulation for only allowing one wall sign per wall. They suggested a minimum of 3-4 wall signs be allowed per side. Finally they believe that the Historic and Rural Community Zone Districts wall sign amount was restrictive at 24 sf and the ground size limited to 16 sf.

Staff reviewed the comments and updated a minor clarification under 13-200 E. In response to the ISA comments, staff reviewed the comments and determined the input does not warrant any changes to the proposed code.

June 15, 2016 PLANNING COMMISSION SUMMARY

This docket was first presented by staff for review to the Boulder County Planning Commission on June 15, 2016. Land Use staff presented a summary of proposed text amendments after which the Planning Commission posed questions to staff. Commissioner Martinsson assumed that the amendment 13-500 (13) (d. & e) was outside the health & safety of signs. Commissioner Lopez also commented regarding the grandfathering of historic signs and asked if these amendments would affect them. Staff confirmed that the amendments related to 13-500(13)(d & e), was outside the use of signs for public safety and that the nonconforming sign section (13-900) did not get amended. There were no public comments. At the June 15, 2016 Planning Commission meeting Ben Blaugrund moved that the Boulder County Planning Commission approve the docket. The motion was seconded by Leah Martinsson and passed unanimously 6 to 0.

CONCLUSION – REVISED PROPOSED TEXT AMENDMENTS

Based upon feedback received through the public process for this docket, including public comments, Planning Commission comments and additional research conducted by staff, Land Use staff proposes the following text amendments to

- Article 13-200 – General Provisions
- Article 13-300 – Definitions
- Article 13-400 (B) – Sign Area, Height and Illumination
- Article 13-500 – Prohibited Signs
- Article 13-600 (A)(B)(C)(D)(E) – Sign Regulation Governing Specific Zone Districts
- Article 13-700 – Temporary Signs
- Article 13-800 – Sign Plaza
- Article 13-900 Permits Required of the Boulder County Land Use Code.

A brief summary of changes made to each code section is presented followed by proposed code text. A strike-through format is utilized to denote language suggested for deletion and an underline format is utilized to indicate suggested new changes or additions.

Summary of Proposed Changes – Article 13-200 General Provisions

Staff proposes minor text amendments to the General Provisions section of Article 13 for clarification. In the current sign code the General Provisions section is listed under 13-400 after Sign Area and Height and since it covers the general concepts of the sign code therefore staff is recommending that this section be moved below the Purpose and Intent section. Minor text

amendments denoted clarification of sentence structure, the addition of (B) signs will not be placed in the right of way and (C) compliance with the sight triangle, specification in table 13-500-A-15-a.

Proposed Text Amendments

Article 13-200

General Provisions

- A. ~~All s~~Signs ~~shall~~ must be designed, constructed, and maintained in accordance with all applicable safety codes.
- B. Signs must not be placed in the right of way of any public street, road or highway, except as specifically provided for in the sign code.
- C. Signs located in the vision clearance triangle must comply with the sight triangle specifications of table 13-500 A.15a.
- D. A building permit ~~shall~~must be obtained from the County Building Division prior to the erection, relocation or display of ~~any~~ a sign unless ~~such sign~~ it is exempt from ~~the~~ permit requirements ~~of a permit~~.
- E. Any noncommercial sign ~~shall~~ must be allowed in any location and under any circumstance in which a commercial sign is allowed. Noncommercial signs must conform to applicable height, area and setback regulations of the zone district in which they are located. Noncommercial signs ~~shall~~ must not be ~~subject to the numerical limitations of the zone district in which they are located~~ regulated based on the speech content of the sign, except as provided for in 13-500(A)(13d).
- F. This Article does not apply to the following:
 1. Any sSigns not visible from off-premises or a public right of way.
 2. Signs of a duly constituted governmental body such as traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc. or signs erected by public utilities or construction companies to warn of danger or hazardous conditions in the public right-of-way.
 3. Any sSigns required to be posted or maintained by law or governmental order, rule or regulation provided such signs comply with and do not exceed the requirements of such law, order, rule or regulation.
 4. Signs mounted on the interior of any fence that encloses a stadium or playing fields that are primarily visible to participants and attendees at the stadium or playing fields.

Summary of Proposed Changes –Article 13-300-Definitions

To ensure compliance with the *Reed vs. Town of Gilbert* decision, staff proposes to eliminate the content based definitions of Identification Sign and Community Use Identification Sign. Staff also included clarification to the Noncommercial Sign definition which added historic districts, rural community districts and other historic points in the County under this category.

Projecting signs have been allowed in the Niwot Community Rural District for some time and staff is recommending that this type of signage be allowed in the Business, Commercial, Transitional, Light and General Industrial, Economic Development, Rural Community and Historic Districts to provide more consistency among these zone districts. For added clarification, changes are also proposed with the addition of Temporary Real Estate Signs, Multi-Driveway Sign, Electronic Message Center, Neon and Sign Copy. Staff also added a definition for external illumination, halo illumination and “nit” (a measure of luminance, or brightness) as this is the unit of measure for compliance with the proposed new requirements related to light levels for illuminated signs to clarify illumination types. Mailboxes, address and lettering was moved to 13-700 and Scoreboards in athletic stadiums or playing fields was eliminated since it is content related. Temporary Real Estate Sign was added to the definition section since all other elements of the Temporary Signs section were eliminated to achieve content neutrality. The minor text amendments to the Definitions section are listed below.

Proposed Text Amendment

Article 13-300 –

Definitions

A. Terms and phrases used in this Article have the following meaning:

1. Commercial Sign: A sign containing a message advertising the manufacture, sale or availability of products, accommodations, services, attractions, or activities, or that is intended to attract attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire. This definition includes Temporary Real Estate signs.
2. Electronic Message Center: A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
3. External Illumination: Illumination of a sign that is affected by an artificial source of light not contained within the sign itself intended to cast light on the sign to make the sign content visible at night. (Figure 13-2)
4. Freestanding Sign: A sign that is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.
5. Halo Illumination: A sign using a three dimensional sign copy that is lit in a way that produces a disk or circle of light behind the sign. (also known as back-lit illumination). (Figure 13-3)
6. ~~Identification Sign: A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which the sign is located.~~
7. ~~Community Use Identification Signs: A sign associated with a legal use on a parcel under Article 4-504.~~
8. Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface, or lit by halo illumination.
9. Internal Illumination: A source of illumination entirely within the sign that makes the sign content visible at night by means of the light being transmitted through a translucent material but wherein the source of the illumination is not visible. (Figure 13-1)
10. Multi-Driveway Sign: A sign at the entrance or exit of premises that has two or more driveways.
11. Neon Sign: A sign containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
12. Nit (nt): The measure of luminance (brightness) in units of candela per square meter ($1 \text{ nt} = 1 \text{ cd}/1 \text{ m}^2$). The unit is based on the candela, a unit of luminous intensity, and the square meter, a unit of area.
13. Noncommercial Sign: A sign that does not contain information or advertising for any business, commodity, service, entertainment, product, or attraction. Noncommercial signs include, but are not limited to, a sign that supports a candidate for public office, urges action for or against a matter on the ballot of a primary, general, or special election, protests against any person, business, organization, property or commercial activity, or promotes or denounces political, ideological, social or religious issues or beliefs of any person or group. This definition also includes signs that identify historic districts, rural community districts, and other historic points of interest. ~~Noncommercial signs shall not include identification signs.~~
14. Portable Sign: A sign mounted on a vehicle, trailer or boat, or fixed or attached to a device for the purpose of transporting from site-to-site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles, trailers or boats operating during the normal course of business.
15. Projecting Sign: A sign that projects at an angle of 10 or more degrees from the wall on

which it is mounted.

16. Sign: Any writing, pictorial representation, decoration, emblem, flag, banner or other device used for visual communication that is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The following are expressly excluded from the definition of 'sign':
 - a. Any flag, badge or insignia of any governmental unit.
 - ~~b. Mail boxes and address, lettering and numerals.~~
 - b. Works of art that in no way advertise a product or business.
 - c. Text or pictorial representations on motor vehicles that are being operated or stored in the normal course of a business, provided the primary purpose of such vehicles is not for the display of signs and provided that such vehicles are parked or stored in areas incidental to their primary use as a commercial or delivery vehicle.
 - ~~e. Scoreboards in athletic stadiums or playing fields.~~
 - d. Holiday decorations that are clearly incidental and customary and commonly associated with any national, local or religious holiday.
 - e. A sign that is held or otherwise mounted on a person or an animal or a sign on a device attached to a person or animal.
17. Sign Copy: Any graphic, word numeral, symbol, insignia, text, sample, model or device.
18. Temporary Real Estate Sign: A sign erected to advertise the availability for sale or lease of the property or a portion of the property where the sign is located with a surface area that does not exceed 12 square feet and each sign face does not exceed six square feet. Temporary real estate signs must be removed within fifteen (15) days after the sale or occupancy of the property.
19. Wall Sign: A sign painted on or attached to a wall ~~or~~ of a structure that meets the setback requirements for a building and is in the same plane as the wall. A wall sign must not project more than eighteen inches from the wall.

Summary of Proposed Changes – Article 13-400(B) -Sign Area, Height and Illumination

Staff proposes amendments to the illumination of signs, and recommends moving the illumination content from the definition section to 13-400. Locating the illumination content in Section 13-400 will ensure that regulatory requirements are not embedded in the definitions. The illumination requirements are generally compatible with type of content included in Section 13-400(B) since it relates to a specific function of a sign, similar to Sign Area and Height, already addressed in that section. This amended content clarifies illumination-related requirements pertaining to External, Internal and Halo Illumination or Backlit signs, along with examples. In addition, requirements related to internal illumination now incorporate limits related to brightness.

Staff proposes introducing requirements for sign brightness to minimize light pollution and help protect the rural character of unincorporated Boulder County. In addition, maintaining lower levels of sign brightness of illuminated signs will generally have the ancillary benefit of reducing energy consumption, which supports the County's sustainability goals.

Staff recommends measuring sign brightness in terms of luminance. Luminance is measured in units of candelas/square meter, or "nits." It is the U.S. Sign Council's standard for the measurement of on-premises sign illumination. Some other jurisdictions measure sign brightness in terms of footcandles, which measures illuminance, or the amount of light which falls onto an object. Advantages of measuring sign brightness in terms of luminance (nits) are that it measures light output at its source and does not vary with ambient light conditions. Therefore, staff believes it provides a better measure of the actual visual impact of the sign. In addition, using nits as the unit of measure offers options for ensuring adherence to the illumination requirements; nits are included in manufacturers' product specifications, and one can also measure luminance in the field after installation using a "nit gun," or luminance meter.

Staff proposes a luminance limit of 150 nits, which reflects a level deemed appropriate for rural settings based on a review of literature. The level falls in the middle of a range of values identified as minimizing light pollution. It is slightly higher than the level referenced in the Illuminating Engineering Society of North America's Lighting Handbook, but lower than the levels specified in the U.S. Sign Council's recommendations.¹

Proposed Text Amendment

Article 13-400(B)-

Sign Area, Height and Illumination

- B. Illuminated Signs:** All sign lighting must be designed, directed, and shielded in so that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and steady lighting.

1. For signs using internal illumination: (Figure 13-1)

- a. Only sign copy may be illuminated on an internally illuminated sign.
- b. Internally illuminated signs must use semi-opaque or opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non copy portions of the sign (e.g., background and graphics) must be made of completely opaque material.
- c. Internally illuminated exterior signage must not exceed a luminance of 150 cd/m² (nits) during nighttime hours. The applicant must provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.

2. For signs using external Illumination: (Figure 13-2) Lighting for externally illuminated signs must be steady, stationary and mounted at the top of the sign (or within 2 feet above a building mounted sign) and meet Article 7-1600 of the Boulder County Land Use Code. Light fixtures mounted above a sign face must meet the following requirements:

- a. The bottom opening of the light fixture must be flat (i.e., it could be covered by a flat board allowing no light to escape);
- b. The fixture must tilt toward the sign face; and
- c. The uppermost portion of the fixture's opening must be no higher than the top of the sign face.

3. For signs using halo illumination: (Figure 13-3)

- a. The light source must not be visible.
- b. Light source must project only against the surface behind the sign.
- c. The sign must not be located on a reflective surface.

¹ The Illuminating Engineering Society of North America (IESNA) Lighting Handbook recommends a maximum nighttime sign luminance of 250 nits for brightly lit areas and 125 nits in low-light settings. The handbook notes that rural municipalities with minimally illuminated roadways may want to consider even lower nighttime luminance levels. The US Sign Council's model code level is (750 nits). The U.S. Green Building Council's LEED program sets a limit of 200 nits for internally illuminated signs as part of the criteria to earn a credit for minimizing light pollution. However, USGBC's standard does not reflect differences in the needs of urban and rural settings.



Figure 13-1 Internally Illuminated Sign



Figure 13-2 Externally Illuminated Sign



Figure 13-3 Halo Illuminated Sign

Summary of Proposed Changes- Article 13-500- Prohibited Signs

Staff proposes minor text amendments to this section to improve clarity on the prohibited signs of neon and electronic message centers. Prohibited Signs was revised to eliminate any content-based references such as holiday decorations, traffic direction, event, service or activity.

Proposed Text Amendment

Article 13-500-

Prohibited Signs

- A. The following signs are prohibited:
 1. ~~Any~~ Signs containing ~~any~~ a commercial message ~~which~~that does not advertise ~~some~~ a product, service, activity, event, person, institution, or business located on the premises where the sign is located, or the sale or rental of such premises.
 2. ~~Any~~ Signs, except publicly owned signs, attached to a tree, light pole, utility pole, or sign pole on public property or located in any public right-of-way except where required by law.
 3. Signs with visible moving, revolving, rotating parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means.
 4. Signs with the optical illusion of movement by means of a design ~~which~~that presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
 5. Signs with lights or illuminations ~~which~~that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations.
 6. Strings of light bulbs used in connection with commercial premises for commercial purposes. ~~other than traditional holiday decorations during the appropriate holiday period.~~
 7. Signs that incorporate projected images, ~~involve the use of live animals~~ or emit any sound except for drive-up menu boards.
 8. Signs containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
 9. Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
 10. ~~Any~~ Freestanding commercial signs, together with their ~~its~~ supporting structure, or building mounted signs, ~~now or hereafter existing which~~ that are in place for 6 months or more after the premises have been vacated and advertise an activity, business, product or service no longer produced or conducted upon the premises ~~upon which such sign is located.~~
 - a. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the County Building Official upon good cause shown ~~for such extension.~~
 - b. This provision ~~shall~~ must not apply to permanent signs accessory to businesses ~~which~~that are open only on a seasonal basis, provided there is clear intent to continue operation of the business.

11. ~~Any p~~Portable commercial signs ~~not necessary for traffic direction or circulation.~~
- ~~12. Any sign maintained in conjunction with a use, event, service or activity that is not lawful under the Boulder County Land Use Code.~~
10. Signs mounted on rooftops that project above the highest point of the roof line, parapet or fascia of the building.
11. Pennants, balloons, ~~banners~~ streamers, whirligigs, or other similar devices, when used for advertising purposes.
12. ~~Any s~~Signs not allowed ~~herein in this sign code.~~
13. ~~Any s~~Signs or sign structures that:
 - a. ~~Is~~Are structurally unsafe;
 - b. Constitute a health or safety hazard ~~to safety or health by reason because~~ of inadequate maintenance or dilapidation;
 - c. ~~is~~Are capable of causing electrical shocks to persons likely to come into contact with them;
 - d. ~~in any way~~May be confused with or purport to be official traffic signs, signals, or devices or any other official signs;
 - e. Use ~~any~~words, phrases, symbols, or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle;
 - f. ~~is~~Are located in a ~~matter~~manner that interferes with pedestrian or vehicular travel or pose a hazard to pedestrians, or that interfere with the free use of any fire escape, exit or standpipe.
14. ~~Any s~~Signs located in a sight triangle, as such signs so as to may conflict with the clear and open view of devices placed by a public agency for controlling traffic or ~~sign which~~ may obstruct a motorist's or pedestrians clear view of an intersecting road, alley or major driveway. The following criterion is to be used to determine the maximum sight line encroachment for non-traffic signs:

Summary of Proposed Changes- Article 13-600(A) - Sign Regulation Governing Specific Zoning Districts

Staff proposes to update the sign regulations governing all the zone districts with applicable requirements. In addition, staff proposes amending the format used to present regulations for each zone district by converting to a tabular format to enhance the clarity and readability of the requirements specific to each zone district (e.g., maximum sign area, height, illumination, setback and other relevant information).

Proposed Text Amendment
Article 13-600(A)
Sign Regulations Governing Specific Zoning Districts

A. All Zone Districts

1. Outdoor lights must meet Article 7-1600.
2. Signs are exempt from the supplemental setback in Article 7-1403.
3. Each platted residential subdivision may maintain two permanent signs at each entry into the subdivision from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and other requirements of the Transportation Department.

- (iii) If entry signs are illuminated, they must be externally lit.

Summary of Proposed Changes- Article 13-600(B) Forestry, Mountain Institutional and Agricultural Zoning Districts

In this zone district the sign size allowance remained the same as the current code, but is now categorized by sign type. The proposed revised language delineates requirements specific to Freestanding Signs, Wall Signs and Temporary Real Estate Signage.

Proposed Text Amendment

13-600(B) Forestry, Mountain Institutional and Agricultural Zoning Districts

1. Total sign area per lot must not exceed 88 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 64 square feet with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed 88 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>Additional Information</u>
<u>Freestanding Sign</u>	<u>64 s.f. total area per sign no more than 32 s.f. per sign face</u>	<u>10 ft</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>15 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements</u> <u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Commercial Freestanding Sign where principal use is residential</u>	<u>Not permitted</u>				
<u>Wall Sign</u>	<u>24 s.f.</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Wall Sign where principal use is residential</u>	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair.</u>	
<u>Temporary Real Estate Sign</u>	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		

Summary of Proposed Changes- Article 13-600(C) and Article 13-600(D) – Rural Residential, Estate Residential, Suburban Residential, Multi-Family and Manufactured Park Zoning Districts

Staff determined during the review of this section that the previous separation of Rural Residential from Estate Residential, Suburban Residential, Multi-Family and Manufactured Park Zoning Districts was not necessary because the sign area limitations were similar in

size. Therefore, minor text amendments to combine the districts for signage requirements are proposed. For clarification, there is no distinction of noncommercial size limitation.

Proposed Text Amendment

13-600 (C) Rural Residential, Estate Residential, Suburban Residential, Multi-Family and Manufactured Park Zoning Districts

1. Total sign area per lot must not exceed 64 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 32 square feet, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 64 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>Note</u>
<u>Freestanding Sign</u>	<u>32 s.f. total area with no more than 16 s.f. per sign face</u>	<u>6 ft</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>15 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 sf per sign face and less than 30 inches in height are exempt from setback requirements.</u> <u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Commercial Freestanding Sign where principal use is residential</u>	<u>Not permitted</u>				
<u>Wall Sign</u>	<u>32 s.f.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Wall Sign where principal use is residential</u>	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	
<u>Temporary Real Estate Sign</u>	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		

Summary of Proposed Changes -Article 13-600(D) – Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial Zone Districts

The current Sign Code states that the height of the sign needs to be lower than the building. A minor text amendment was added to define maximum height at 25 ft. Directional signs was replaced by multi-driveway signs for entrance and exit on premises with two or more driveways. Projecting signage was added as an allowed sign in these zone districts to improve consistency within the Land Use Code and the Niwot Rural Community Zone District. Wall signs were further broken out to limit wall signs at 2 s.f. when the principal use is residential.

Proposed Text Amendment

13-600 (D) Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial

1. Total sign area per lot must adhere to cumulative allowances below, based on street frontages and number of uses on the parcel.
2. Total sign area must not exceed 450 square feet plus an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Sign.
3. Any combination of freestanding or wall sign must not exceed the 450 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>note</u>
<u>Freestanding Sign</u>	<p>One per lot line abutting a public street, not to exceed 2 s.f. total sign area for each lineal foot of the lot width, provided that:</p> <p>(A) <u>In the case where a parcel has one use, the total maximum surface area of any one sign face must not exceed 75 s.f. or 150 s.f. total surface area</u></p> <p>(B) <u>In the case where a parcel has more than one use the total permitted sign area must not exceed 150 s.f. per sign face or 300 s.f. total surface area</u></p>	25 ft	<p><u>External illumination meets Article 7-1600 of Land Use Code</u></p> <p><u>Internally illuminated must meet materials requirements specified in Article 13-400</u></p>	25 ft front 7 ft sides	<p><u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements</u></p> <p><u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u></p>
<u>Multi-Driveway Sign</u>	One sign per approved access point not to exceed 4 s.f. per sign and 2 s.f. per sign face	4 ft	Prohibited	10 ft setback from edge of road	<u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>
<u>Projecting Sign</u>	12 s.f. with no more than 6 s.f. per sign face	Must not exceed the height of the wall to which the sign is attached or 15 ft whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	<p>Must maintain 8 ft clearance from lowest portion of sign to grade below</p> <p><u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u></p>
<u>Wall Sign</u>	One sign on each street frontage, the total surface area of the sign does not exceed 2 s.f. for each lineal foot, measured horizontally, of the side of the building to which it is attached; and for each street frontage, the sign must not exceed 150 s.f., or 25% of the total surface area of the wall.	Signs must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive	Must meet the requirements of Article 7-1600; Internally illuminated must meet materials requirements specified in Article 13-300, 3	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	<u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>
<u>Wall Sign where principal use is residential</u>	2 s.f.	Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	
<u>Temporary Real Estate Sign</u>	12 s.f. total with no more than 6 s.f. per sign face	6 ft	Prohibited		

Summary of Proposed Changes - Article 13-600(E) – Historic and Rural Community Zone Districts

Staff proposes a text amendment for the Historic and Rural Community Zone Districts. The current code addresses Historic Districts within the Transitional, Business, Commercial, Light/General Industrial and Economic Development Zone Districts. The Rural Community Zone District was only listed under the Niwot Rural Community Zone District which may not be as relevant to future Rural Community Districts. These two zone districts are similar in nature; as both zone districts are rural areas with residential and business uses. Therefore, staff proposes combining them into one section for purposes of Article 13. The amended text also specifically limits wall signs to 2 s.f. when the principal use is residential.

Proposed Text Amendment

13-600(E) - Historic and Rural Community Zoning Districts

1. Each designated Historic or adopted Rural Community District may maintain permanent signs at each entry into the District from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and any other requirement or permit required by the Transportation Department.
2. Rural Community District Sign regulations adopted as part of the district adoption supercede these regulations.
3. Historic District Total Sign Area per lot not to exceed 56 square feet and an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>note</u>
Freestanding Sign	<u>32 s.f. with no more than 16 s.f. per sign face</u>	6 ft	External illumination meets Article 7-1600 of Land Use Code; Internally illuminated prohibited.	<u>15 ft front</u> <u>7 ft sides</u>	<u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements.</u> <u>Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
Projecting Sign	<u>12 s.f. with no more than 6 s.f per sign face</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 15 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback;</u> <u>Nonconforming structures may have a wall sign and must be maintained in a proper state of repair.</u>	<u>Must maintain 8 ft clearance from lowest portion of sign to grade below</u> <u>Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
Wall Sign	<u>24 s.f.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internally illuminated prohibited</u>	<u>Zoning District setback requirements;</u> <u>Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
Wall Sign where principal use is residential	<u>2 s.f.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internally illuminated prohibited</u>	<u>Zoning District setback requirements;</u> <u>Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	
Temporary Real Estate Sign	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	6 ft	<u>Prohibited</u>		

Summary of Proposed Changes- Article 13-700– Temporary Signs

Staff proposes a text amendment to eliminate this section of the sign code since many of the sign types are content based.

Summary of Proposed Changes- Article 13-800 – Sign Plazas

Staff proposes a text amendment to this section of the sign code to incorporate Article 13-800 into the Historic and Rural Community Zone Districts section under the proposed revised organization of Article 13.

Summary of Proposed Changes - Article 13-900 - Permits Required

Staff proposes minor text amendments to section A to eliminate the content-based sign reference and clarify the mailbox category.

- A. No person shall must display, erect, relocate, or alter the physical characteristics of any sign without first filing a permit application with the County Building Official obtaining a sign permit, except the following:
 - ~~1. Identification signs where permitted by this Article;~~
 1. 'for sale,' 'for lease,' and 'for rent' signs in all districts; Lettering and numerals no larger than 16 square inches affixed to a mailbox used by the United States Postal Service for mail delivery to the occupants of the property where the mailbox is located;
 2. Wall signs no larger than two square feet;
 3. Temporary Real Estate Signs;
 4. Noncommercial signs in all zoning districts;
 5. ~~Temporary signs.~~

TEXT AMENDMENT CRITERIA ANALYSIS

Article 16-100.B. contains the criteria for amending the text of the Land use Code. Staff finds that these criteria are met in the context of this Docket, as follows:

1. The existing text is in need of amendment:

Staff has identified the goals of this docket and the reasons why these amendments should be made. Those goals are:

- To amend aspects of the County's sign code regulations to draft new or modified existing language, and removed unnecessary or outdated sections.
- To revise the County's land use regulations Article 13 – Sign Code to ensure compliance with the recent U.S. Supreme Court ruling in *Reed v Town of Gilbert*.

2. The amendment is not contrary to the intent and purpose of this Code:

The amendments are not contrary to the intent or purpose of the Code.

3. The amendment is in accordance with the Boulder County Comprehensive Plan:

The amendments are in accordance with the Boulder County Comprehensive Plan.

RECOMMENDATION

The Land Use staff finds that the proposal can meet all of the applicable criteria for a Land Use Code Text Amendment, as noted above. Therefore, Land Use staff recommends that the Board of County Commissioners approve **Docket DC-16-0001: Proposed Boulder County Land Use Code Amendments to Article 13** to address revisions to the sign code.

Attachments:

Referral responses received to date
PC Certification
Strike-through version of Article 13
Revised version of Article 13



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

Docket DC-16-0001: Proposed Boulder County Land Use Code Amendments to Article 13

Request: Proposed Boulder County Land Use Code Amendments to Article 13 to address an update of the Sign Code (Land Use Staff Planner: Kathy Sandoval)

Dear Stakeholder/Interested Party,

On January 21, 2016, the Board of County Commissioners authorized Land Use staff to pursue text amendments to Article 13 of the Boulder County Land Use Code, which regulates the amount, type, location, physical dimensions, and design of signs in Boulder County.

It is necessary to perform a general update to Article 13 to ensure compliance with the recent U.S. Supreme Court ruling in *Reed v. Town of Gilbert*. The U.S. Supreme Court found that the town's sign code was facially content-based (and thus not constitutional) because the restrictions in the town's sign code that apply to signage depend entirely on the communicative content of the sign. In light of *Reed v. Town of Gilbert* revisions to Article 13 aim to eliminate any portions of the Boulder County sign codes that are based on the content of the sign. The revised code will regulate signs on the basis of zone district classification, size, location, lighting, material, etc.

The draft amendments contain changes to the County's method for noncommercial sign regulation, while continuing to protect the aesthetic qualities by preventing visual clutter, protecting scenic views, and preserving Boulder County's rural character. In developing the draft revised version of Article 13 staff reviewed proposed amendments for consistency with other sections of the Land Use Code and other amendments related to the Sign Code update. This is a draft document and is still a work in progress. Staff is still evaluating topics including size of signs, lumen output for backlit signs, and energy efficiency requirements for illuminated signs. Feedback pertaining to these topics is appreciated.

A draft of the proposed Article 13 text amendments is attached to this letter for your review. Red font color is utilized to indicate proposed Land Use Code text changes and deletions. You may also view the proposed draft text amendments and future revisions in our office or online at: <http://www.bouldercounty.org/property/build/pages/lucodeupdatedc160001.aspx>

This docket review process will include a public hearing before the Boulder County Planning Commission and a public hearing before the Boulder County Board of County Commissioners. The schedule for these meetings is still to be determined. Confirmation of hearing dates and times will be published online at the link above and in local newspapers.

The Land Use staff and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter or email with your comments. All comments will be made part of the public record. If you have any questions regarding this docket, please contact Kathy Sandoval at (303) 441-3930 or ksandoval@bouldercounty.org.

Please return responses to the above address by **July 8, 2016**. Late responses will be reviewed as the process permits.

We have reviewed the proposal and have no conflicts.





Letter is enclosed. See comments on the attached.

Signed  Printed Name Michael A. Thomas, P.E., County Engineer

Agency or Address Boulder County Transportation Department

From: [Thomas, Mike](#)
To: [Sandoval, Kathy](#)
Subject: RE: Sign code comments
Date: Wednesday, July 06, 2016 4:26:59 PM
Attachments: [image001.png](#)

Here are the comments if they don't show up on the previous version:

 mthomas ▾ Page 2 7/6/2016 4:22:30 PM Except as provided for in 13-500.A.13.d.
 mthomas ▾ Page 2 7/6/2016 4:23:03 PM if it is installed by a governmental entity, should it matter what reason it's for?
 mthomas ▾ Page 9 7/6/2016 4:23:57 PM This seems redundant. It's in the section on prohibited signs, so it stands to reason that they aren't allowed in the sign code.
 mthomas ▾ Page 10 7/6/2016 4:24:28 PM This needs to be highlighted a little more

From: Thomas, Mike
Sent: Wednesday, July 06, 2016 4:25 PM
To: Sandoval, Kathy
Subject: Sign code comments

Let me know if this doesn't work.



Land Use

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Docket DC-16-0001: Proposed Boulder County Land Use Code Amendments to Article 13

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Please return responses to the above address by **July 8, 2016**. Late responses will be reviewed as the process permits.

_____ We have reviewed the proposal and have no conflicts.

_____ Letter is enclosed.

Signed  Printed Name James Carpentier

Agency or Address International Sign Association/Northwest Sign Council

July 8, 2016

Hello Ms. Sandoval,

Re: Docket DC-16-0001: Proposed Boulder County Land Use Code Amendments to Article 13

I am contacting you on behalf of the Colorado Sign Association and the International Sign Association. Both associations work with jurisdictions to assist with the creation of beneficial, effective, and enforceable sign regulations.

We appreciate the opportunity to provide comments below on the proposed amendments to Article 13 and your inclusion of some of our previous recommendation.

General Comments

Content Regulation

The proposed code has a number of references to content, by categorizing temporary real estate signs. If you need to look at the sign in order to determine compliance that section of the code is not content neutral. Content neutrality is a mainstay of the recent US Supreme Court decision Reed vs. Town of Gilbert. It is not clear how the other temporary signs are regulated other than the exemption from setback for 6 sq. ft. noncommercial signs. We suggest a clear approach to the regulation of temporary signs that deals with time, place and manner restrictions only. Here is link to [resources for local officials](#) which includes some resources on Reed vs. Town of Gilbert.

Electronic Message Centers

We recommend that the County consider some reasonable standards for EMCs. When properly regulated EMCs can fit into most jurisdictions and comply with applicable aesthetic desires and policies. See the attached Finding Common Ground document for common questions and answers in regards to regulating EMCs and the attached Illumination Standards. Also attached is a study from the University of Cincinnati, which includes a case study for a car dealer and demonstrates the positive economic impacts of EMCs.

Neon Signs

Section 13-500 A. 8. does not accommodate neon signs. We find that some users desire a retro look and neon signs can be a part of that type of design. The newer electronic ballasts are very energy efficient and neon has a long life. We recommend that the County consider allowing neon signs to allow for additional design alternatives and creativity.

Administrative

We recommend that the County stream-line the Permit Process. We believe that the current process is very time and energy inefficient.

Currently, we need to present the proposal/permit application in person (sometimes two hour wait + parking fees). We then have to pay the permit fees in full at the proposed valuation (sell price) and subsequent revisions to size or design requires refunds or added cost and is complicated. Then, we have to pick the permit up personally, with no couriers allowed because it has to be signed-off by Contractor's rep.

We recommend that the County review the Aurora, CO process since it has a much more user friendly and efficient process. In Aurora we can be submit and resubmit applications as required, electronically. Aurora also allows for final payment (after any revisions) to be paid by credit card.

13-100 Purpose and Intent

In this this section we recommend that you include language that addresses free speech due to Reed v. town of Gilbert, "To ensure that the constitutionally guaranteed right of free speech is protected." (Section=17C.240.010 City of Spokane WA)

13-400 Sign Area and Height and Illumination

A. The area of a sign shall be measured in conformance with the following regulations:

1. In computing the area of a sign, standard mathematical formulas for common regular geometric shapes shall be used. See figure 13-4. In the case of an irregularly shaped sign or a sign with letters and/or symbols directly affixed to or painted on a wall, the area of the sign is the area within the perimeter or not more than eight straight lines enclosing the extreme limits of writing, representation, emblem, or any figure of similar character. This area includes any material or color forming an integral part of a background of the display or used to differentiate the sign from the backdrop or wall. See figures 13-5, 13-6.

We recommend that the methodology to measure area for signs allows for multiple geometric shapes. This will allow for additional creativity by the designers. Please see the attached model code page 27 for additional details.

Illuminated Sign: All sign lighting must be designed, directed, and shielded in so that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and steady lighting.

1. For signs using internal illumination: (Figure 13-6)
 - a. Only sign copy may be illuminated on an internally illuminated sign.
 - ~~b. Internally illuminated signs must use semi-opaque or opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non-copy portions of the sign (e.g., background and frame) must be made of completely opaque material.~~
 - ~~c. Internally illuminated exterior signage must not exceed a luminance of 150 cd/m² (nits) during nighttime hours. The applicant must provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password-protected software or other appropriate methods.~~

We recommend that section b. not be included in the code since administration of semi-opaque will be challenging at best and opaque materials will not be utilized since not light will shine through the sign copy. All internally illuminated signs have diffused light given the nature of construction for internally illuminated signs. The requirements for opaque backgrounds will limit the amount of illumination from a sign, but allow for the illumination of the sign copy, so additional standards as proposed are not required.

The 150 nits limitation for internally illuminated signs is not based on any standard. With the requirements in section b. a nits standard is not needed since all light is already diffused. Signs cannot be treated the same as area lighting since they serve an entirely different function. As stated in ISA's position statement in regards to illumination standards: "ISA believes that internally illuminated signs have specialized requirements not shared by fixtures designed for exterior lighting applications. These unique requirements include the need for conspicuity and readability, and the legal protection of free speech. Therefore, regulatory attempts to restrict the operation or dispersion of light from internally illuminated signs defeat their core function and constitute de facto censorship of constitutionally protected speech." See page 10 of the attached ISA position statement.

Sign Height

We recommend that the Section cited for sign height 13-400 A. 6., be included in the sign section of the code for easy access by applicants and review by staff.

13-600 Sign Regulations Governing Specific Zoning District

Sections D & E allows one ground sign per lot line and one wall sign per wall

We suggest a reasonable ratio that will accommodate larger type of projects rather than one sign per lot line. For instance a ratio of a ground sign every 200 or 300' will reasonably limit the number of ground signs but accommodate projects of any size.

This section only allows for one wall sign per wall. We suggest a minimum of 3-4 wall signs be allowed per side. This will accommodate multiple entities in one structure which is typical of many business models.

F. Historic and Rural Community Zoning Districts

The Historic Rural District has some very restrictive wall (24 sq. ft.) and ground size limits (16 sq. ft). These wall and ground signs may not function safely as intended due to adjacent ROW and speed limits. We suggest the studies that are included in the attached UDA model code beginning on page 17 be reviewed in relation to the proposed regulations.

We truly appreciate your consideration of our suggestions. Do not hesitate to contact me at 480-773-3756 or james.carpentier@signs.org with any questions, or if you need additional information.

Best Regards,



James Carpentier AICP
Director State & Local Government Affairs



Land Use

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CERTIFICATE OF RESOLUTION

TO: Board of Boulder County Commissioners
FROM: Boulder County Planning Commission
DATE: June 22, 2016
RE: **Docket DC-16-0001**

This certifies that at a public hearing of the Planning Commission, County of Boulder, State of Colorado, duly called and held on June 15, 2016 the following resolution was duly adopted.

Be it resolved that the Planning Commission, County of Boulder, State of Colorado, recommends to the Board of County Commissioners that the following request be APPROVED, by a vote of 6 in favor, 0 against, 0 recused, and 3 absent.

Docket DC-16-0001: PROPOSED LAND USE CODE AMENDMENT RELATED TO ARTICLE 13 SIGNS

Text Amendments to Article 13, regulating the number, type, location, physical dimensions, and design of signs in Boulder County and to ensure compliance with the recent U.S. Supreme Court ruling in *Reed v. Town of Gilbert*. Revisions to the Boulder County sign code intend to eliminate portions of the Boulder County sign code that are based on the content of the sign.

This docket has been scheduled for final consideration by the Board of County Commissioners on July 26, 2016 at 3:15 p.m., in the Hearing Room, Third Floor, County Courthouse, Boulder, CO.

BOULDER COUNTY PLANNING COMMISSION

by Kathy Sandoval, Planner II
for Dale Case, Secretary

Article 13



Sign

Article 13 • Sign

13-100 Purpose and Intent

- A. The purpose and intent of Article 13 are to regulate the number, type, location, physical dimensions, and design of signs ~~in order~~ to protect the public safety and welfare and preserve the right of free speech and expression. These regulations are intended to achieve the following objectives:
1. Protect public safety by prohibiting signs that are structurally unsafe or poorly maintained; that cause unsafe traffic conditions through distraction of motorists, confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or ~~sites {property}~~ property.
 2. Protect aesthetic qualities by preventing visual clutter, protecting scenic views, preserving Boulder County's rural character, preventing intrusion of commercial messages into non-commercial areas in accordance with the Boulder County Comprehensive Plan, curtailing, the degradation of the nighttime visual environment and eliminating abandoned signs on unused commercial properties.
 3. Allow adequate signage for business identification, non-commercial speech, and dissemination of public information, including, but not limited to, public safety information and notification as may be required by law.

13-200 General Provisions

- A. ~~All s~~Signs ~~shall~~ must be designed, constructed, and maintained in accordance with all applicable safety codes.
- B. ~~No sign should~~Signs must not be placed in the right of way of any public street, road or highway, except as specifically provided for in parts of this section of the sign code.
- C. Signs located in the vision clearance triangle shall ~~must~~ comply with the sight triangle specifications of table 13-500 A.15a.sight triangle.
- D. A building permit ~~shall~~ must be obtained from the County Building Division prior to the erection, relocation or display of ~~any~~ a sign unless such sign it is exempt from ~~the~~ permit requirements of a permit.
- E. Any noncommercial sign ~~shall~~ must be allowed in any location and under any circumstance in which a commercial sign is allowed. Noncommercial signs must conform to applicable height, area and setback regulations of the zone district in which they are located. Noncommercial signs ~~shall~~ must not be regulated based on the speech content of the sign, except as provided for in 13-500(A)(13d).
- F. This Article does not apply to the following:
 1. ~~Any s~~Signs not visible from off-premises or a public right of way.
 2. Signs of a duly constituted governmental body such as traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc. or signs erected by public utilities or construction companies to warn of

danger or hazardous conditions in the public right-of-way.

3. Any Signs required to be posted or maintained by law or governmental order, rule or regulation provided such signs comply with and do not exceed the requirements of such law, order, rule or regulation.
4. Signs mounted on the interior of any fence that encloses a stadium or playing fields that are primarily visible to participants and attendees at the stadium or playing fields.

13-300 Definitions

- A. Terms and phrases used in this Article have the following meaning:
1. **Commercial Sign:** A sign containing a message advertising the manufacture, sale or availability of products, accommodations, services, attractions, or activities, or that is intended to attract attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire. This definition includes Temporary Real Estate signs.
 2. Electronic Message Centers: A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
 3. External Illumination: Illumination of a sign that is affected by an artificial source of light not contained within the sign itself intended to cast light on the sign to make the sign content visible at night. (Figure 13-7)
 4. **Freestanding Sign:** A sign ~~that is~~ erected on its own self-supporting permanent structure, detached from any supporting elements of a building.
 5. Halo Illumination: A sign using a three dimensional sign copy that is lit in a way that produces a disk or circle of light behind the sign, (also known as back-lit illumination). (Figure 13-8)
 6. ~~Identification Sign: A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which the sign is located.~~
 7. ~~Community Use Identification Signs: A sign associated with a legal use on a parcel under Article 4-504.~~
 8. **Illuminated Sign:** A sign with electrical equipment installed for illumination, internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface, or lit by halo illumination.
 9. **Internal Illumination:** A source of illumination entirely within the sign which makes the sign content visible at night by means of the light being transmitted through a translucent material but ~~wherein~~ the source of the illumination is not visible. (Figure 13-6)
 10. Multi-Driveway Sign: A sign at the entrance or exit of a premises that has two or more driveways.
 11. Neon Sign: A sign containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
 12. Nit (nt): The measure of luminance (brightness) in units of candela per square meter (1 nt = 1cd/1m²). The unit is based on the candela, a unit of luminous intensity, and the square meter, a unit of area.
 13. **Noncommercial Sign:** A sign that does not contain information or advertising for any business, commodity, service, entertainment, product, or attraction. Noncommercial signs include, but are not limited to, a sign that supports a candidate for public office, urges action for or against a matter on the ballot of a primary, general, or special election, protests against any person, business, organization, property or commercial activity, or promotes or denounces political, ideological, social or religious issues or beliefs of any person or group. This definition also includes signs that identify historic districts, rural community districts, and other historic points of interest. Noncommercial signs shall not include identification signs.
 14. **Portable Sign:** A sign mounted on a vehicle, trailer or boat, or fixed or attached to a device for the purpose of transporting from site-to-site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles, trailers or boats operating during the normal course of business.
 15. Projecting Sign: A sign that projects at an angle of 10 or more degrees from the wall on which it is mounted.
 16. **Sign:** Any writing, pictorial representation, decoration, emblem, flag, banner or other device used for visual communication that is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The following are expressly excluded from the definition of 'sign':
 - a. Any flag, badge or insignia of any governmental unit.
 - ~~b. Mail boxes and address, lettering and numerals.~~
 - b. Works of art that in no way advertise a product or business.
 - c. Text or pictorial representations on motor vehicles that are being operated or stored in the normal course of a business, provided the primary purpose of such vehicles is not for the display of signs and provided that such vehicles are parked or stored in areas incidental to their primary use as a commercial or delivery vehicle.
 - ~~e. Scoreboards in athletic stadiums or playing fields.~~
 - d. Holiday decorations that are clearly incidental and customary and commonly associated with any national, local or religious holiday.
 - e. A sign that is held or otherwise mounted on a person or an animal or a sign on a device attached to a person or animal.
 17. Sign Copy: Any graphic, word numeral, symbol, insignia, text, sample, model or device.
 18. Temporary Real Estate Sign: A sign erected to advertise the availability for sale or lease of the property or a portion of the property where the sign is located with a surface area that does not exceed 12 square feet and

each sign face does not exceed six square feet. Temporary real estate signs must be removed within fifteen (15) days after the sale or occupancy of the property.

19. Wall Sign: A sign painted on or attached to a wall ~~or~~ of a structure that meets the setback requirements for a building and is in the same plane as the wall. A wall sign must not project more than eighteen inches from the wall.

13-400 Sign Area, Height and Illumination

- A. The area and height of a sign ~~shall~~ **must** be measured as follows:
1. In computing the area of a sign, standard mathematical formulas for common regular geometric shapes ~~shall~~ **must** be used. See figure 13-1.
In the case of an irregularly shaped sign or a sign with letters and/or symbols directly affixed to or painted on a wall, the area of the sign is the area within the perimeter or not more than eight straight lines enclosing the extreme limits of writing, representation, emblem, or any figure of similar character. This area includes any material or color forming an integral part of a background of the display or used to differentiate the sign from the backdrop or wall. See figures 13-2, 13-3.
 2. Where a sign has two or more display faces, the area of all faces ~~shall~~ **must** be included in determining the sign area.
 3. The area of a freestanding sign ~~which~~ that is supported by a base or pedestal is architecturally distinct from the sign face itself ~~shall~~ **must** not include the area of the base. See Figures 13-3, 13-4.
 4. Sign area ~~shall~~ **must** include vertical and horizontal spacing between letters, characters, emblems, etc. that convey the sign's message. See Figure 13-5
 5. The area of spherical, cylindrical, or other three-dimensional signs ~~shall~~ **must** be measured by calculating the area of elevation drawings of the sign.
 6. The height of a sign shall must be measured per Article 18-120, Building Height (Structure Height), contained in this Code.

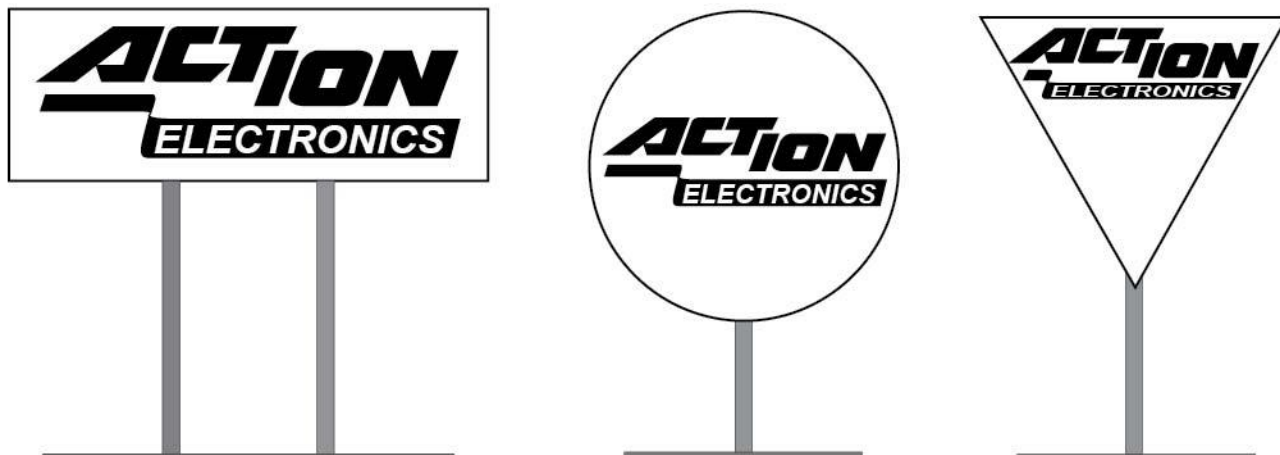


Figure 13-1: Standard Formulas for Common Regular Geometric Shapes ~~Shall~~ **Must** be Used. All Display Faces of a Sign ~~Shall~~ **Must** be Included.



Figure 13-2: For irregularly shaped signs, area is measured as enclosed by up to 8 straight intersecting lines.



Figure 13-3: Sign area for a monument sign shall ~~not~~ **must** not include base, if the base is architecturally distinct.

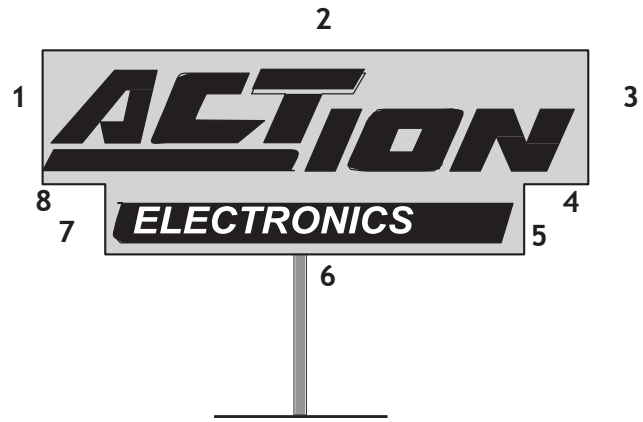


Figure 13-4: Pedestal not counted as part of sign area.

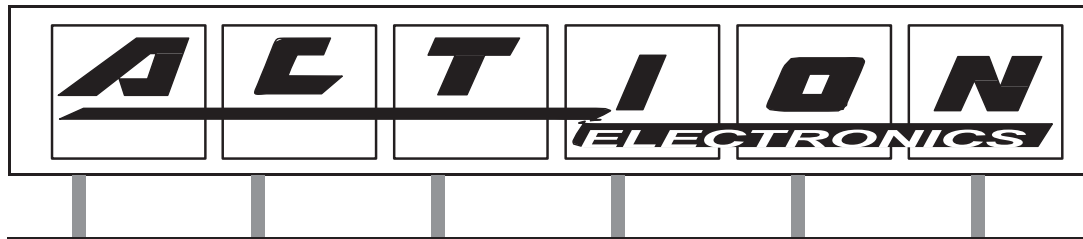


Figure 13-5: Sign area shall ~~not~~ **must** include vertical and horizontal spacing between letters conveying the sign's message.

- B. Illuminated Sign: All sign lighting must be designed, directed, and shielded in so that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and steady lighting.**
- 1. For signs using internal illumination: (Figure 13-6)**
 - a. Only sign copy may be illuminated on an internally illuminated sign.**
 - b. Internally illuminated signs must use semi-opaque or opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non-copy portions of the sign (e.g., background and frame) must be made of completely opaque material.**
 - c. Internally illuminated exterior signage must not exceed a luminance of 150 cd/m² (nits) during nighttime hours. The applicant must provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.**
 - 2. For signs using external illumination: (Figure 13-7) Lighting for externally illuminated signs must be steady, stationary and mounted at the top of the sign (or within 2 feet above a building mounted sign) and meet Article 7-1600 of the Boulder County Land Use Code. Light fixtures mounted above a sign face must meet the following requirements:**
 - a. The bottom opening of the light fixture must be flat (i.e., it could be covered by a flat board allowing no light to escape);**
 - b. The fixture must tilt toward the sign face; and**
 - c. The uppermost portion of the fixture's opening no higher than the top of the sign face.**

3. For signs using halo illumination: (Figure 13-8)

- a. The light source must not be visible.
- b. The light source must project only against the surface behind the sign.
- c. The sign must not be located on a reflective surface.



Figure 13-6 Internally Illuminated Sign



Figure 13-7 Externally Illuminated Sign



Figure 13-8 Halo Illuminated Sign

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13-500 Prohibited Signs

A. The following signs are prohibited:

1. ~~Any~~ Signs containing ~~any~~ a commercial message ~~which that~~ does not advertise ~~some~~ a product, service, activity, event, person, institution, or business located on the premises where the sign is located, or the sale or rental of such premises.
2. ~~Any~~ Signs, except publicly owned signs, attached to a tree, light pole, utility pole, or sign pole on public property or located in any public right-of-way except where required by law.
3. Signs with visible moving, revolving, rotating parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means.
4. Signs with the optical illusion of movement by means of a design ~~which that~~ presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
5. Signs with lights or illuminations ~~which that~~ flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations.
6. Strings of light bulbs used in connection with commercial premises for commercial purposes. ~~other than traditional holiday decorations during the appropriate holiday period.~~
7. Signs that incorporate projected images, ~~involve the use of live animals~~ or emit any sound except for drive-up menu boards.
8. Signs containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
9. Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
10. ~~Any~~ Freestanding commercial signs, together with their ~~its~~ supporting structure, or building mounted signs, ~~now or hereafter existing which that are in place for~~ 6 months or more after the premises have been vacated and advertise an activity, business, product or service no longer produced or conducted upon the premises ~~upon which such sign is located.~~
 - a. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the County Building Official upon good cause shown ~~for such extension.~~
 - b. This provision ~~shall~~ **must** not apply to permanent signs accessory to businesses ~~which that~~ are open only on a seasonal basis, provided there is clear intent to continue operation of the business.
11. ~~Any~~ Portable commercial signs ~~not necessary for traffic direction or circulation.~~
12. ~~Any sign maintained in conjunction with a use, event, service or activity that is not lawful under the Boulder County Land Use Code.~~
10. Signs mounted on rooftops that project above the highest point of the roof line, parapet or fascia of the building.
11. Pennants, balloons, ~~banners~~ streamers, whirligigs, or other similar devices, when used for advertising purposes.
12. ~~Any~~ Signs not allowed herein in this sign code.
13. ~~Any~~ Signs or sign structures that:
 - a. ~~is~~ Are structurally unsafe;
 - b. Constitute a health or safety hazard ~~to safety or health by reason because~~ of inadequate maintenance or dilapidation;
 - c. ~~is~~ Are capable of causing electrical shocks to persons likely to come into contact with them;
 - d. ~~in any way~~ May be confused with or purport to be official traffic signs, signals, or devices or any other official signs;
 - e. Use ~~any~~ words, phrases, symbols, or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle;
 - f. ~~is~~ Are located in a ~~matter~~ manner that interferes with pedestrian or vehicular travel or pose a hazard to pedestrians, or that interfere with the free use of any fire escape, exit or standpipe.

14. Any signs located in a sight triangle, as such signs so as to can may conflict with the clear and open view of devices placed by a public agency for controlling traffic or sign which can may obstruct a motorist's or pedestrians clear view of an intersecting road, alley or major driveway. The following criterion is to be used to determine the maximum sight line encroachment for non-traffic signs:

a. Sight Triangles

At the intersection of two (2) or more streets, or a street and any driveway controlled by a stop sign or a requirement to stop, no sign that is higher than thirty (30) inches above curb level shall must be permitted in any sight triangle. Such sight triangle shall must be defined as the area between a fifteen (15) foot setback from the road or driveway yielding to the main road at the subject intersection, and the distance as defined in the following table:

Table 13-500-A-15-a Sight Triangle

Speed Limit on Thru Road	Distance from Centerline (D)
15 mph	100 feet
20 mph	150 feet
25 mph	175 feet
30 mph	200 feet
35 mph	250 feet
40 mph	300 feet
50 mph	450 feet
60 mph	650 feet

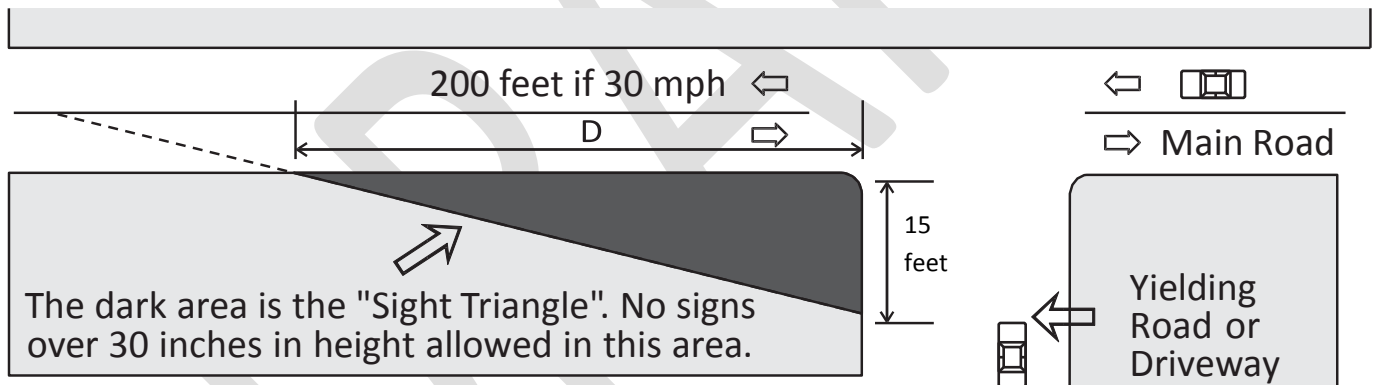


Figure 13-9: Sight Triangle.

13-600 Sign Regulations Governing Specific Zoning Districts

A. All Zone Districts

1. Outdoor lights must meet Article 7-1600.
2. Signs are exempt from the supplemental setback in Article 7-1403.
3. Each platted residential subdivision may maintain two permanent signs at each entry into the subdivision from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and other requirements of the Transportation Department.
 - (iii) If entry signs are illuminated they must be externally lit.

B. Forestry, Mountain Institutional and Agricultural Zoning Districts

1. Total sign area per lot must not exceed 88 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 64 square feet with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>Additional Information</u>
<u>Freestanding Sign</u>	<u>64 s.f. total area per sign no more than 32 s.f. per sign face</u>	<u>10 ft</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>15 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements</u> <u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Commercial Freestanding Sign where principal use is residential</u>	<u>Not permitted</u>				
<u>Wall Sign</u>	<u>24 s.f.</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>

<u>Wall Sign where principal use is residential</u>	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 30 ft. whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal Illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair.</u>	
<u>Temporary Real Estate Sign</u>	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		

C. Rural Residential, Estate Residential, Suburban Residential, Multi-Family and Manufactured Park Zoning Districts

1. Total sign area per lot must not exceed 64 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 32 square feet, with the exception of parcels where the principal use residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 64 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>Note</u>
<u>Freestanding Sign</u>	<u>32 s.f. total area with no more than 16 s.f. per sign face</u>	<u>6 ft</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>15 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 sf per sign face and less than 30 inches in height are exempt from setback requirements.</u> <u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Commercial Freestanding Sign where principal use is residential</u>	<u>Not permitted</u>				
<u>Wall Sign</u>	<u>32 s.f.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement</u>
<u>Wall Sign where principal use is residential</u>	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	

Temporary Real Estate-Sign	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		
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D. Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial

- Total sign area per lot must adhere to cumulative allowances below, based on street frontages and number of uses on the parcel.
- Total sign area must not exceed 450 square feet plus an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
- Any combination of freestanding or wall sign must not exceed the 450 square feet per lot requirement.

<u>Sign Type</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Illumination</u>	<u>Setback</u>	<u>note</u>
<u>Freestanding Sign</u>	<u>One per lot line abutting a public street, not to exceed 2 s.f. total sign area for each lineal foot of the lot width, provided that: (A) <u>Where a parcel has one use, the total maximum surface area of any one sign face must not exceed 75 s.f. or 150 s.f. total surface area</u> (B) <u>Where a parcel has more than one use, the total permitted sign area must not exceed 150 s.f. per sign face or 300 s.f. total surface area</u></u>	<u>25 ft</u>	<u>External illumination meets Article 7-1600 of Land Use Code</u> <u>Internally illuminated must meet requirements specified in Article 13-400,</u>	<u>25 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements.</u> <u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>
<u>Multi-Driveway Sign</u>	<u>One sign per approved access point not to exceed 4 s.f. per sign and 2 s.f. per sign face</u>	<u>4 ft</u>	<u>Prohibited</u>	<u>10 ft setback from edge of road</u>	<u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>
<u>Projecting Sign</u>	<u>12 s.f. with no more than 6 s.f. per sign face</u>	<u>Must not exceed the height of the wall to which the sign is attached or 15 ft whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Must maintain 8 ft clearance from lowest portion of sign to grade below.</u> <u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>

Wall Sign	<u>One sign on each street frontage, the total surface area of the sign does not exceed 2 s.f. for each lineal foot, measured horizontally, of the side of the building to which it is attached; and for each street frontage, the sign must not exceed 150 s.f., or 25% of the total surface area of the wall.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internally illuminated must meet materials requirements specified in Article 13-300, 3</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement</u>
Wall Sign where principal use is residential	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	
Temporary Real Estate Sign	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		

E. Historic and Rural Community Zoning Districts

1. Each designated Historic or adopted Rural Community District may maintain permanent signs at each entry into the District from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and any other requirement or permit required by the Transportation Department.
2. Rural Community District Sign regulations adopted as part of the district adoption supercede these regulations.
3. Historic District Total Sign Area per lot not to exceed 56 square feet and an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination	Setback	note
Freestanding Sign	<u>32 s.f. with no more than 16 s.f. per sign face</u>	<u>6 ft</u>	<u>External illumination meets Article 7-1600 of Land Use Code; Internally illuminated prohibited.</u>	<u>15 ft front 7 ft sides</u>	<u>Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements</u> <u>Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
Projecting Sign	<u>12 s.f. with no more than 6 s.f per sign face</u>	<u>Must not exceed the height of the wall to which the sign is attached, or 15 ft, whichever is</u>	<u>Must meet the requirements of Article 7-1600; Internal illumination prohibited</u>	<u>Zoning District setback; Nonconforming structures may have a wall sign and must be</u>	<u>Must maintain 8 ft clearance from lowest portion of sign to grade below</u> <u>Any combination of</u>

		<u>more restrictive</u>		<u>maintained in a proper state of repair.</u>	<u>freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
<u>Wall Sign</u>	<u>24 s.f.</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internally illuminated prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	<u>Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement</u>
<u>Wall Sign where principal use is residential</u>	<u>2 s.f.; not to exceed one sign per parcel</u>	<u>Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive</u>	<u>Must meet the requirements of Article 7-1600; Internally illuminated prohibited</u>	<u>Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair</u>	
<u>Temporary Real Estate Sign</u>	<u>12 s.f. total with no more than 6 s.f. per sign face</u>	<u>6 ft</u>	<u>Prohibited</u>		

F. The standards in this Article shall **must** be the maximum allowed signage in all discretionary review processes. Refer to the district development plan for established Rural Community Districts and the approval resolution for other uses allowed by discretionary review for specific provisions.

13-700 Temporary Signs

- ~~A. Temporary on-site signs may be erected and maintained in any zoning district subject to the following conditions:~~
- ~~1. Temporary signs shall comply with the height, setback, illumination and sign area regulations for the zoning district in which they are located.~~
 - ~~2. Temporary signs shall be limited to one sign per street frontage.~~
 - ~~3. Temporary signs must be located on the premises where the temporary activity/event takes place.~~
 - ~~4. Temporary signs advertising special events shall not be placed more than 30 days prior to the event advertised and shall be removed within 15 days after the event advertised.~~
 - ~~5. Temporary real estate signs shall be removed within fifteen (15) days after the sale or occupancy of the property.~~
 - ~~6. Temporary construction signs advertising subdivision, development, construction or other improvement of a property shall be displayed only on the property or within the platted area to which the sign pertains.~~
 - ~~7. Temporary signs advertising subdivision construction shall not be displayed prior to the date of official filing of the subdivision, and shall be removed within two years from the date of the issuance of the first building permit in the project or within 30 days from the time 75% of the lots or dwellings in the subdivision have been sold, whichever time period is the least.~~
 - ~~8. Temporary signs advertising construction may be displayed during the period of construction and shall be removed upon issuance of a certificate of occupancy or final inspection, whichever occurs first.~~
 - ~~9. Temporary signs advertising on-site garage sales and occasional sales, not exceeding two square feet may be erected no more than seven days prior to the event and shall be removed within seven days after the sale.~~
 - ~~10. Temporary signs advertising seasonal sales of agricultural and holiday related products may be erected no more than 14 (fourteen) days before sales begin and shall be removed within seven days after sales cease for that season or holiday.~~
 - ~~11. Temporary commercial signs shall be limited to signs announcing the opening of a new business. Such signs shall be limited to banners not exceeding [20] square feet in area or [8] feet in height displayed for no more than [30] days.~~

~~13-800 Sign Plazas~~

- ~~A. In order to foster appreciation of historic and special character areas, a non-commercial entity, civic or community association may erect off-premises informational signs, known as sign plazas, identifying historic districts and rural community districts as such districts may be created by the Board of County Commissioners pursuant to the Land Use Code.~~
- ~~B. The following information shall be eligible for space in sign plazas:
 - ~~1. The identity of the district and location of nearby points of interest.~~
 - ~~2. The identity of any noncommercial entity, institution, or organization promoting or maintaining such district or area.~~~~

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13-700 Permits Required

- A. No person shall **must** display, erect, relocate, or alter the physical characteristics of any sign without first filing a permit application with the County Building Official obtaining a sign permit, except the following:
- ~~1. Identification signs where permitted by this Article;~~
 1. 'for sale,' 'for lease,' and 'for rent' signs in all districts; Lettering and numerals no larger than 16 square inches affixed to a mailbox used by the United States Postal Service for mail delivery to the occupants of the property where the mailbox is located;
 2. Wall signs no larger than two square feet;
 3. Temporary Real Estate Signs;
 4. Noncommercial signs in all zoning districts.;
 - ~~5. Temporary signs.~~
- B. An application for a sign permit must include the following:
1. The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or installer;
 2. The street address location of the proposed sign;
 3. Complete information required in the application form provided by the Building Official, including a sign plan and elevation drawings of the proposed sign, caption or the proposed sign and other data pertinent to the application;
 4. A complete application for an electrical permit for all signs requiring electrical hook-up;
 5. Construction plans;
 6. Verification of all existing signs and sign areas in existence on the property;
 7. A statement of valuation or cost; and
 8. A fee established by the Board of County Commissioners in an amount sufficient to offset the cost of processing sign applications, inspecting signs and enforcing this article.
- C. The Building Official shall **must** grant a sign permit within twenty (20) days after a complete application and fee are received for any sign that complies with all of the requirements in this Article.
1. If the Building Official determines the application is incomplete or the proposed sign(s) is not allowed under these or other pertinent regulations, the Building Official shall **must** notify the applicant. The notice shall **must** identify with specificity the deficiency in the application or the provision under which the proposed sign is not allowed.
 2. An applicant for a sign permit may seek immediate review of a decision denying a sign permit. Decisions based on matters subject to the Building Code shall **must** be appealed to the Board of Review. Decisions based on the provisions of the Land Use Code shall **must** be appealed to the Board of Adjustment. All appeals shall **must** be subject to the time limits and other requirements of the appropriate reviewing body.
- D. When a sign permit has been issued by the Building Official, it shall **must** be unlawful to change, modify, alter the structural characteristics of the sign, or otherwise deviate from the terms or conditions of said permit without prior approval of the Building Official. A written record of such approval shall **must** be entered upon the original permit application and maintained in the files of the Land use Department.
- E. If the Building Official finds that the sign erected under any permit is not in accordance with the information supplied in the permit application or is in violation of this or any other pertinent regulations, or should the Building Official find that there has been any misrepresentation in connection with the application for the permit, the sign owner or erector shall **must** be notified of such findings by first class mail to the address on the sign permit application. The notice shall **must** identify the violation and shall **must** state the permit will be revoked if the violation is not corrected within thirty (30) days.
1. If such correction is not made within the thirty (30) day period, the Building Official shall **must** revoke the permit and shall **must** serve written notice to the sign owner or erector. The Building Official shall **must** proceed pursuant to the Building Code provisions or the Zoning Enforcement provisions of this Code as applicable.
 2. No person shall **must** proceed with the erection, relocation, alteration, or modification of the sign after such notice has been given.

13-800 Maintenance and Construction of Signs

- A. All allowed signs must meet the following requirements:
 - 1. Signs and sign structures must be maintained at all times in a state of safe repair, with all braces, bolts, clips, supporting frame, and fastenings free from deterioration, insect infestation, rot, rust, or loosening.
 - 2. Construction plans for all signs that require a permit must be submitted to the Building Official for review and approval.
 - 3. All signs, ~~including temporary signs, shall~~ **must** meet Boulder County wind-load specifications.
- B. Electrical Signs
 - 1. All electric signs installed or erected in Boulder County must bear the label of Underwriters Laboratories, Inc.
 - 2. Electric signs must be rain-tight, except that service holes fitted with waterproof covers must be provided to each compartment of such signs.
 - 3. All electrical signs erected must comply with the Electrical Code of Boulder County.
- C. Illuminated Signs
 - 1. Any light used for the illumination of a sign must be shielded so that the light will not shine directly on surrounding areas or create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
 - 2. The Building Official may order a change in the illumination of any sign that becomes a hazard or nuisance.
- D. The Building Official ~~shall~~ **must** have the authority to inspect and order the painting, repair, alteration, or removal, at the owner's expense, of a sign that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

13-900 Nonconforming Signs

- A. Nonconforming signs ~~shall~~ **must** be governed by the provisions of 4-1000 Nonconforming Structures and Uses.

13-1000 Variances

- A. The Board of Adjustment ~~shall~~ **must** have the power to hear appeals and grant variances to the provisions of this Article per Article 4 of this Code.

Article 13



■ ■ ■ Sign

Article 13 • Sign

13-100 Purpose and Intent

- A. The purpose and intent of Article 13 are to regulate the number, type, location, physical dimensions, and design of signs to protect the public safety and welfare and preserve the right of free speech and expression. These regulations are intended to achieve the following objectives:
1. Protect public safety by prohibiting signs that are structurally unsafe or poorly maintained; that cause unsafe traffic conditions through distraction of motorists, confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or property.
 2. Protect aesthetic qualities by preventing visual clutter, protecting scenic views, preserving Boulder County's rural character, preventing intrusion of commercial messages into non-commercial areas in accordance with the Boulder County Comprehensive Plan, curtailing the degradation of the nighttime visual environment and eliminating abandoned signs on unused commercial properties.
 3. Allow adequate signage for business identification, non-commercial speech, and dissemination of public information, including, but not limited to, public safety information and notification as may be required by law.

13-200 General Provisions

- A. Signs must be designed, constructed, and maintained in accordance with all applicable safety codes.
- B. Signs must not be placed in the right of way of any public street, road or highway, except as specifically provided for in the sign code.
- C. Signs located in the vision clearance triangle must comply with the sight triangle specifications of table 13-500 A.15a.
- D. A building permit must be obtained from the County Building Division prior to the erection, relocation or display of a sign unless it is exempt from permit requirements.
- E. Any noncommercial sign must be allowed in any location and under any circumstance in which a commercial sign is allowed. Noncommercial signs must conform to applicable height, area and setback regulations of the zone district in which they are located. Noncommercial signs must not be regulated based on the speech content of the sign, except as provided for in 13-500(A)(13d).
- F. This Article does not apply to the following:
 1. Signs not visible from off-premises or a public right of way.
 2. Signs of a duly constituted governmental body such as traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc. or signs erected by public utilities or construction companies to warn of

danger or hazardous conditions in the public right-of-way.

3. Signs required to be posted or maintained by law or governmental order, rule or regulation provided such signs comply with and do not exceed the requirements of such law, order, rule or regulation.
4. Signs mounted on the interior of any fence that encloses a stadium or playing fields that are primarily visible to participants and attendees at the stadium or playing fields.

13-300 Definitions

- A. Terms and phrases used in this Article have the following meaning:
1. **Commercial Sign:** A sign containing a message advertising the manufacture, sale or availability of products, accommodations, services, attractions, or activities, or that is intended to attract attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire. This definition includes Temporary Real Estate signs.
 2. **Electronic Message Centers:** A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
 3. **External Illumination:** Illumination of a sign that is affected by an artificial source of light not contained within the sign itself intended to cast light on the sign to make the sign content visible at night. (Figure 13-7)
 4. **Freestanding Sign:** A sign erected on its own self-supporting permanent structure, detached from any supporting elements of a building.
 5. **Halo Illumination:** A sign using a three dimensional sign copy that is lit in a way that produces a disk or circle of light behind the sign, (also known as back-lit illumination). (Figure 13-8)
 6. **Illuminated Sign:** A sign with electrical equipment installed for illumination, internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface, or lit by halo illumination.
 7. **Internal Illumination:** A source of illumination entirely within the sign which makes the sign content visible at night by means of the light being transmitted through a translucent material but the source of the illumination is not visible. (Figure 13-6)
 8. **Multi-Driveway Sign:** A sign at the entrance or exit of a premises that has two or more driveways.
 9. **Neon Sign:** A sign containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
 10. **Nit (nt):** The measure of luminance (brightness) in units of candela per square meter ($1 \text{ nt} = 1 \text{ cd}/1\text{m}^2$). The unit is based on the candela, a unit of luminous intensity, and the square meter, a unit of area.
 11. **Noncommercial Sign:** A sign that does not contain information or advertising for any business, commodity, service, entertainment, product, or attraction. Noncommercial signs include, but are not limited to, a sign that supports a candidate for public office, urges action for or against a matter on the ballot of a primary, general, or special election, protests against any person, business, organization, property or commercial activity, or promotes or denounces political, ideological, social or religious issues or beliefs of any person or group. This definition also includes signs that identify historic districts, rural community districts, and other historic points of interest.
 12. **Portable Sign:** A sign mounted on a vehicle, trailer or boat, or fixed or attached to a device for the purpose of transporting from site-to-site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles, trailers or boats operating during the normal course of business.
 13. **Projecting Sign:** A sign that projects at an angle of 10 or more degrees from the wall on which it is mounted.
 14. **Sign:** Any writing, pictorial representation, decoration, emblem, flag, banner or other device used for visual communication that is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The following are expressly excluded from the definition of 'sign':
 - a. Any flag, badge or insignia of any governmental unit.
 - b. Works of art that in no way advertise a product or business.
 - c. Text or pictorial representations on motor vehicles that are being operated or stored in the normal course of a business, provided the primary purpose of such vehicles is not for the display of signs and provided that such vehicles are parked or stored in areas incidental to their primary use as a commercial or delivery vehicle.
 - d. Holiday decorations that are clearly incidental and customary and commonly associated with any national, local or religious holiday.
 - e. A sign that is held or otherwise mounted on a person or an animal or a sign on a device attached to a person or animal.
 15. **Sign Copy:** Any graphic, word numeral, symbol, insignia, text, sample, model or device.
 16. **Temporary Real Estate Sign:** A sign erected to advertise the availability for sale or lease of the property or a portion of the property where the sign is located with a surface area that does not exceed 12 square feet and each sign face does not exceed six square feet. Temporary real estate signs must be removed within fifteen (15) days after the sale or occupancy of the property.
 17. **Wall Sign:** A sign painted on or attached to a wall of a structure that meets the setback requirements for a building and is in the same plane as the wall. A wall sign must not project more than eighteen inches from the wall.

13-400 Sign Area, Height and Illumination

A. The area and height of a sign must be measured as follows:

1. In computing the area of a sign, standard mathematical formulas for common regular geometric shapes must be used. See figure 13-1.
In the case of an irregularly shaped sign or a sign with letters and/or symbols directly affixed to or painted on a wall, the area of the sign is the area within the perimeter or not more than eight straight lines enclosing the extreme limits of writing, representation, emblem, or any figure of similar character. This area includes any material or color forming an integral part of a background of the display or used to differentiate the sign from the backdrop or wall. See figures 13-2, 13-3.
2. Where a sign has two or more display faces, the area of all faces must be included in determining the sign area.
3. The area of a freestanding sign that is supported by a base or pedestal is architecturally distinct from the sign face itself must not include the area of the base. See Figures 13-3, 13-4.
4. Sign area must include vertical and horizontal spacing between letters, characters, emblems, etc. that convey the sign's message. See Figure 13-5
5. The area of spherical, cylindrical, or other three-dimensional signs must be measured by calculating the area of elevation drawings of the sign.
6. The height of a sign must be measured per Article 18-120, Building Height (Structure Height), contained in this Code.

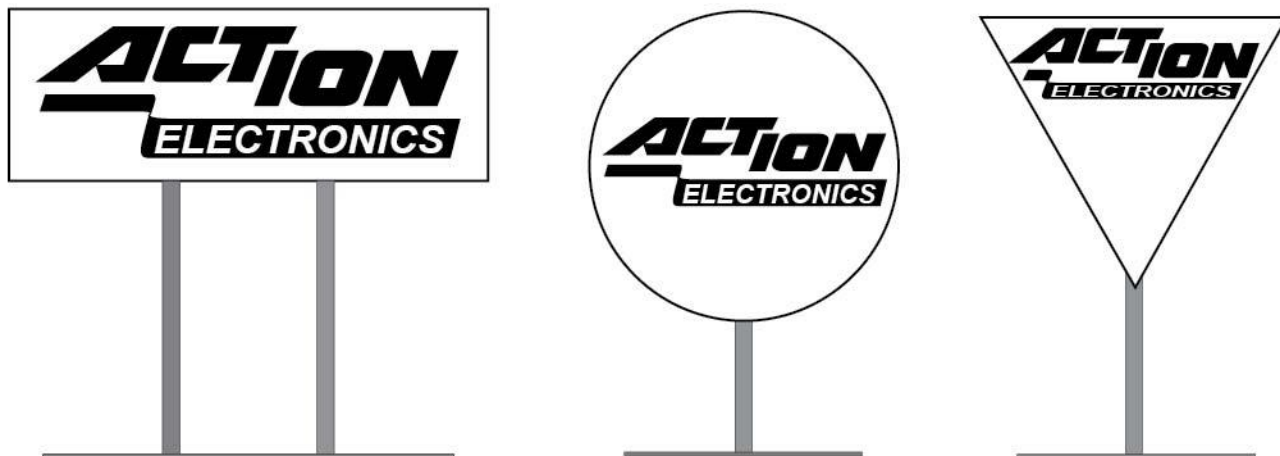


Figure 13-1: Standard Formulas for Common Regular Geometric Shapes Must be Used. All Display Faces of a Sign Must be Included.



Figure 13-2: For irregularly shaped signs, area is measured as enclosed by up to 8 straight intersecting lines.



Figure 13-3: Sign area for a monument sign must not include base, if the base is architecturally distinct.

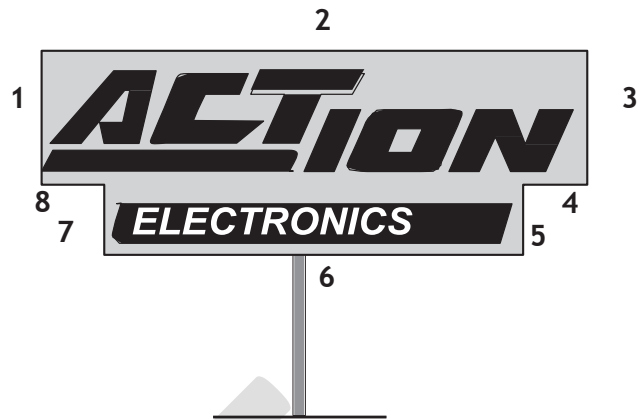


Figure 13-4: Pedestal not counted as part of sign area.

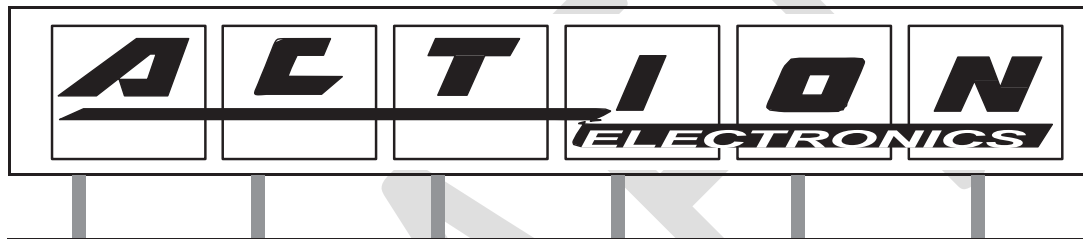


Figure 13-5: Sign area must include vertical and horizontal spacing between letters conveying the sign's message.

- B. Illuminated Sign:** All sign lighting must be designed, directed, and shielded in so that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and steady lighting.
1. For signs using internal illumination: (Figure 13-6)
 - a. Only sign copy may be illuminated on an internally illuminated sign.
 - b. Internally illuminated signs must use semi-opaque or opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non-copy portions of the sign (e.g., background and frame) must be made of completely opaque material.
 - c. Internally illuminated exterior signage must not exceed a luminance of 150 cd/m² (nits) during nighttime hours. The applicant must provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.
 2. For signs using external illumination: (Figure 13-7) Lighting for externally illuminated signs must be steady, stationary and mounted at the top of the sign (or within 2 feet above a building mounted sign) and meet Article 7-1600 of the Boulder County Land Use Code. Light fixtures mounted above a sign face must meet the following requirements:
 - a. The bottom opening of the light fixture must be flat (i.e., it could be covered by a flat board allowing no light to escape);
 - b. The fixture must tilt toward the sign face; and
 - c. The uppermost portion of the fixture's opening no higher than the top of the sign face.

3. For signs using halo illumination: (Figure 13-8)

- a. The light source must not be visible.
- b. The light source must project only against the surface behind the sign.
- c. The sign must not be located on a reflective surface.



Figure 13-6 Internally Illuminated Sign



Figure 13-7 Externally Illuminated Sign



Figure 13-8 Halo Illuminated Sign

13-500 Prohibited Signs

A. The following signs are prohibited:

1. Signs containing a commercial message that does not advertise a product, service, activity, event, person, institution, or business located on the premises where the sign is located, or the sale or rental of such premises.
2. Signs, except publicly owned signs, attached to a tree, light pole, utility pole, or sign pole on public property or located in any public right-of-way except where required by law.
3. Signs with visible moving, revolving, rotating parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means.
4. Signs with the optical illusion of movement by means of a design that presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
5. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations.
6. Strings of light bulbs used in connection with commercial premises for commercial purposes.
7. Signs that incorporate projected images, or emit any sound except for drive-up menu boards.
8. Signs containing glass tube lighting in which a gas and phosphors are used in combination to create a color light.
9. Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.
10. Freestanding commercial signs, together with their supporting structure, or building mounted signs, that are in place for 6 months or more after the premises have been vacated and advertise an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located.
 - a. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the County Building Official upon good cause shown.
 - b. This provision must not apply to permanent signs accessory to businesses that are open only on a seasonal basis, provided there is clear intent to continue operation of the business.
11. Portable commercial signs.
12. Signs mounted on rooftops that project above the highest point of the roof line, parapet or fascia of the building.
13. Pennants, balloons, streamers, whirligigs, or other similar devices, when used for advertising purposes.
14. Signs not allowed in this sign code.
15. Signs or sign structures that:
 - a. Are structurally unsafe;
 - b. Constitute a health or safety hazard because of inadequate maintenance or dilapidation;
 - c. Are capable of causing electrical shocks to persons likely to come into contact with them;
 - d. May be confused with or purport to be official traffic signs, signals, or devices or any other official signs;
 - e. Use words, phrases, symbols, or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle;
 - f. Are located in a manner that interferes with pedestrian or vehicular travel or pose a hazard to pedestrians, or that interfere with the free use of any fire escape, exit or standpipe.

16. Signs located in a sight triangle, as such signs may conflict with the clear and open view of devices placed by a public agency for controlling traffic or may obstruct a motorist's or pedestrians clear view of an intersecting road, alley or major driveway. The following criterion is to be used to determine the maximum sight line encroachment for non-traffic signs:
- a. Sight Triangles

At the intersection of two (2) or more streets, or a street and any driveway controlled by a stop sign or a requirement to stop, no sign that is higher than thirty (30) inches above curb level must be permitted in any sight triangle. Such sight triangle must be defined as the area between a fifteen (15) foot setback from the road or driveway yielding to the main road at the subject intersection, and the distance as defined in the following table:

Table 13-500-A-15-a Sight Triangle

Speed Limit on Thru Road	Distance from Centerline (D)
15 mph	100 feet
20 mph	150 feet
25 mph	175 feet
30 mph	200 feet
35 mph	250 feet
40 mph	300 feet
50 mph	450 feet
60 mph	650 feet

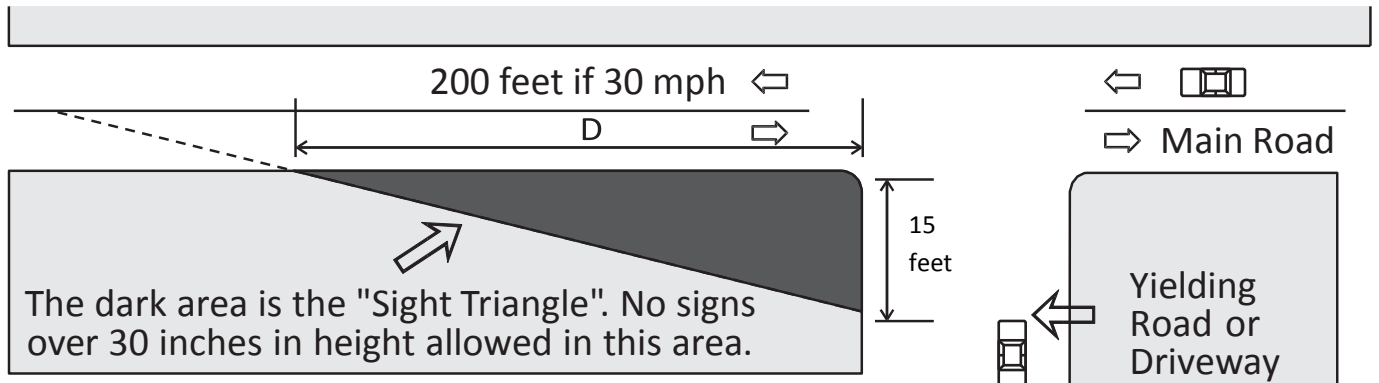


Figure 13-9: Sight Triangle.

13-600 Sign Regulations Governing Specific Zoning Districts

A. All Zone Districts

1. Outdoor lights must meet Article 7-1600.
2. Signs are exempt from the supplemental setback in Article 7-1403.
3. Each platted residential subdivision may maintain two permanent signs at each entry into the subdivision from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and other requirements of the Transportation Department.
 - (iii) If entry signs are illuminated they must be externally lit.

B. Forestry, Mountain Institutional and Agricultural Zoning Districts

1. Total sign area per lot must not exceed 88 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 64 square feet with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement.

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination	Setback	Additional Information
Freestanding Sign	64 s.f. total area per sign no more than 32 s.f. per sign face	10 ft	Must meet the requirements of Article 7-1600; Internal illumination prohibited	15 ft front 7 ft sides	Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement
Commercial Freestanding Sign where principal use is residential	Not permitted				
Wall Sign	24 s.f.	Must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement

Wall Sign where principal use is residential	2 s.f.; not to exceed one sign per parcel	Must not exceed the height of the wall to which the sign is attached, or 30 ft. whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal Illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair.	
Temporary Real Estate Sign	12 s.f. total with no more than 6 s.f. per sign face	6 ft	Prohibited		

C. Rural Residential, Estate Residential, Suburban Residential, Multi-Family and Manufactured Park Zoning Districts

1. Total sign area per lot must not exceed 64 square feet and an additional 12 square feet for Temporary Real Estate Signs.
2. Total commercial sign area per lot must not exceed 32 square feet, with the exception of parcels where the principal use residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 64 square feet per lot requirement.

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination	Setback	Note
Freestanding Sign	32 s.f. total area with no more than 16 s.f. per sign face	6 ft	Must meet the requirements of Article 7-1600; Internal illumination prohibited	15 ft front 7 ft sides	Noncommercial signs under 6 sf per sign face and less than 30 inches in height are exempt from setback requirements. Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement
Commercial Freestanding Sign where principal use is residential	Not permitted				
Wall Sign	32 s.f.	Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	Any combination of freestanding or wall sign must not exceed the 88 square feet per lot requirement
Wall Sign where principal use is residential	2 s.f.; not to exceed one sign per parcel	Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	

Temporary Real Estate-Sign	12 s.f. total with no more than 6 s.f. per sign face	6 ft	Prohibited		
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D. Transitional, Business, Commercial, Light Industrial, Economic Development, and General Industrial

1. Total sign area per lot must adhere to cumulative allowances below, based on street frontages and number of uses on the parcel.
2. Total sign area must not exceed 450 square feet plus an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.
3. Any combination of freestanding or wall sign must not exceed the 450 square feet per lot requirement.

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination	Setback	note
Freestanding Sign	One per lot line abutting a public street, not to exceed 2 s.f. total sign area for each lineal foot of the lot width, provided that: (A) Where a parcel has one use, the total maximum surface area of any one sign face must not exceed 75 s.f. or 150 s.f. total surface area (B) Where a parcel has more than one use, the total permitted sign area must not exceed 150 s.f. per sign face or 300 s.f. total surface area	25 ft	External illumination meets Article 7-1600 of Land Use Code Internally illuminated must meet requirements specified in Article 13-400,	25 ft front 7 ft sides	Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements. Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement
Multi-Driveway Sign	One sign per approved access point not to exceed 4 s.f. per sign and 2 s.f. per sign face	4 ft	Prohibited	10 ft setback from edge of road	Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement
Projecting Sign	12 s.f. with no more than 6 s.f. per sign face	Must not exceed the height of the wall to which the sign is attached or 15 ft whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	Must maintain 8 ft clearance from lowest portion of sign to grade below. Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement

Wall Sign	One sign on each street frontage, the total surface area of the sign does not exceed 2 s.f. for each lineal foot, measured horizontally, of the side of the building to which it is attached; and for each street frontage, the sign must not exceed 150 s.f., or 25% of the total surface area of the wall.	Signs must not exceed the height of the wall to which the sign is attached, or 30 ft, whichever is more restrictive	Must meet the requirements of Article 7-1600; Internally illuminated must meet materials requirements specified in Article 13-300, 3	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	Any combination of freestanding, wall, projecting or multi-driveway sign must not exceed the 450 square feet per lot requirement
Wall Sign where principal use is residential	2 s.f.; not to exceed one sign per parcel	Signs must not exceed the height of the wall to which the sign is attached or 30 feet whichever is more restrictive	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	
Temporary Real Estate Sign	12 s.f. total with no more than 6 s.f. per sign face	6 ft	Prohibited		

E. Historic and Rural Community Zoning Districts

1. Each designated Historic or adopted Rural Community District may maintain permanent signs at each entry into the District from a public right-of-way subject to the following:
 - (i) The total area of each sign does not exceed 32 square feet of surface area and six feet in height.
 - (ii) The signs comply with all applicable Boulder County Multimodal Standards and any other requirement or permit required by the Transportation Department.
2. Rural Community District Sign regulations adopted as part of the district adoption supercede these regulations.
3. Historic District Total Sign Area per lot not to exceed 56 square feet and an additional 12 square feet for Temporary Real Estate Signs, with the exception of parcels where the principal use is residential, in which case the total commercial sign area is limited to 2 square feet and an additional 12 square feet for Temporary Real Estate Signs.

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination	Setback	note
Freestanding Sign	32 s.f. with no more than 16 s.f. per sign face	6 ft	External illumination meets Article 7-1600 of Land Use Code; Internally illuminated prohibited.	15 ft front 7 ft sides	Noncommercial signs under 6 s.f. per sign face and less than 30 inches in height are exempt from setback requirements Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement
Projecting Sign	12 s.f. with no more than 6 s.f. per sign face	Must not exceed the height of the wall to which the sign is attached, or 15 ft, whichever is	Must meet the requirements of Article 7-1600; Internal illumination prohibited	Zoning District setback; Nonconforming structures may have a wall sign and must be	Must maintain 8 ft clearance from lowest portion of sign to grade below Any combination of

		more restrictive		maintained in a proper state of repair.	freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement
Wall Sign	24 s.f.	Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive	Must meet the requirements of Article 7-1600; Internally illuminated prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	Any combination of freestanding, wall, or projecting sign must not exceed the 32 square feet per lot requirement
Wall Sign where principal use is residential	2 s.f.; not to exceed one sign per parcel	Signs must not exceed the height of the wall to which the sign is attached or 30 ft, whichever is more restrictive	Must meet the requirements of Article 7-1600; Internally illuminated prohibited	Zoning District setback requirements; Nonconforming structures may have a wall sign and must be maintained in a proper state of repair	
Temporary Real Estate Sign	12 s.f. total with no more than 6 s.f. per sign face	6 ft	Prohibited		

- F. The standards in this Article must be the maximum allowed signage in all discretionary review processes. Refer to the district development plan for established Rural Community Districts and the approval resolution for other uses allowed by discretionary review for specific provisions.

13-700 Permits Required

- A. No person must display, erect, relocate, or alter the physical characteristics of any sign without first filing a permit application with the County Building Official obtaining a sign permit, except the following:
 - 1. Lettering and numerals no larger than 16 square inches affixed to a mailbox used by the United States Postal Service for mail delivery to the occupants of the property where the mailbox is located;
 - 2. Wall signs no larger than two square feet;
 - 3. Temporary Real Estate Signs;
 - 4. Noncommercial signs in all zoning districts.;
- B. An application for a sign permit must include the following:
 - 1. The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or installer;
 - 2. The street address location of the proposed sign;
 - 3. Complete information required in the application form provided by the Building Official, including a sign plan and elevation drawings of the proposed sign, caption or the proposed sign and other data pertinent to the application;
 - 4. A complete application for an electrical permit for all signs requiring electrical hook-up;
 - 5. Construction plans;
 - 6. Verification of all existing signs and sign areas in existence on the property;
 - 7. A statement of valuation or cost; and
 - 8. A fee established by the Board of County Commissioners in an amount sufficient to offset the cost of processing sign applications, inspecting signs and enforcing this article.
- C. The Building Official must grant a sign permit within twenty (20) days after a complete application and fee are received for any sign that complies with all of the requirements in this Article.
 - 1. If the Building Official determines the application is incomplete or the proposed sign(s) is not allowed under these or other pertinent regulations, the Building Official must notify the applicant. The notice must identify with specificity the deficiency in the application or the provision under which the proposed sign is not allowed.
 - 2. An applicant for a sign permit may seek immediate review of a decision denying a sign permit. Decisions based on matters subject to the Building Code must be appealed to the Board of Review. Decisions based on the provisions of the Land Use Code must be appealed to the Board of Adjustment. All appeals must be subject to the time limits and other requirements of the appropriate reviewing body.
- D. When a sign permit has been issued by the Building Official, it must be unlawful to change, modify, alter the structural characteristics of the sign, or otherwise deviate from the terms or conditions of said permit without prior approval of the Building Official. A written record of such approval must be entered upon the original permit application and maintained in the files of the Land use Department.
- E. If the Building Official finds that the sign erected under any permit is not in accordance with the information supplied in the permit application or is in violation of this or any other pertinent regulations, or should the Building Official find that there has been any misrepresentation in connection with the application for the permit, the sign owner or erector must be notified of such findings by first class mail to the address on the sign permit application. The notice must identify the violation and must state the permit will be revoked if the violation is not corrected within thirty (30) days.
 - 1. If such correction is not made within the thirty (30) day period, the Building Official must revoke the permit and must serve written notice to the sign owner or erector. The Building Official must proceed pursuant to the Building Code provisions or the Zoning Enforcement provisions of this Code as applicable.
 - 2. No person must proceed with the erection, relocation, alteration, or modification of the sign after such notice has been given.

13-800 Maintenance and Construction of Signs

- A.** All allowed signs must meet the following requirements:
 - 1. Signs and sign structures must be maintained at all times in a state of safe repair, with all braces, bolts, clips, supporting frame, and fastenings free from deterioration, insect infestation, rot, rust, or loosening.
 - 2. Construction plans for all signs that require a permit must be submitted to the Building Official for review and approval.
 - 3. All signs must meet Boulder County wind-load specifications.
- B.** Electrical Signs
 - 1. All electric signs installed or erected in Boulder County must bear the label of Underwriters Laboratories, Inc.
 - 2. Electric signs must be rain-tight, except that service holes fitted with waterproof covers must be provided to each compartment of such signs.
 - 3. All electrical signs erected must comply with the Electrical Code of Boulder County.
- C.** Illuminated Signs
 - 1. Any light used for the illumination of a sign must be shielded so that the light will not shine directly on surrounding areas or create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
 - 2. The Building Official may order a change in the illumination of any sign that becomes a hazard or nuisance.
- D.** The Building Official must have the authority to inspect and order the painting, repair, alteration, or removal, at the owner's expense, of a sign that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

13-900 Nonconforming Signs

- A.** Nonconforming signs must be governed by the provisions of 4-1000 Nonconforming Structures and Uses.

13-1000 Variances

- A.** The Board of Adjustment must have the power to hear appeals and grant variances to the provisions of this Article per Article 4 of this Code.