

**HUERFANO COUNTY
 SIGN REGULATIONS
 SECTION 14.00**



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14.01 SIGN CODE

14.01.01 Intent and Purpose

This sign code provides rules, regulations and standards, along with a permitting system to govern the placement of outdoor advertising and other signs in the various districts within unincorporated Huerfano County.

14.02 GENERAL PROVISIONS

14.02.01 Title

The title of this regulation shall be the Huerfano County Sign Code Regulations and may be so cited. Hereinafter, it shall be referred to as the sign code.

14.02.02 Repeal

All sign codes, regulations relating to signs and outdoor advertising device and amendments thereto in effect prior to the adoption of this code are hereby repealed upon the date of adoption of these regulations. The repeal of any of these prior codes, regulations, resolutions or amendments thereto does not revive any other regulation or resolution or portion thereof. This repeal shall not affect or prevent the prosecution or punishment for the violation of any resolution, code or regulation hereby repealed, for any offense committed prior to the repeal.

14.02.03 Scope and Applicability of this Code

This code shall apply to applications for a permit to erect, alter or move signs and outdoor advertising devices in unincorporated Huerfano County.

14.02.04 Permit Requirement

No sign or outdoor advertising device shall hereafter be erected, altered or moved unless or until such sign conforms to the regulations contained within this code and unless or until a permit for such sign has been issued by Huerfano County unless said sign is expressly exempted herein from the provisions of this code.

14.02.05 Relationship to Other Regulations

Nothing in this code shall be construed as exemption an applicant for a sign permit from any other requirements of Huerfano County or from other state of Colorado or federal laws, regulations or requirements including but not limited to those contained within Section 43-1-401, et seq., Colorado Revised Statutes, and the Rules and Regulations Pertaining to Outdoor Advertising promulgated by the Colorado Department of Transportation on January 1, 1984, as amended.

The provisions of this code are hereby declared to be supplemental to and in addition to the provisions contained within these regulations and within the Rules and Regulations Pertaining to Outdoor Advertising promulgated by the Colorado Department of Transportation on January 1, 1984, as amended.

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To the extent that the requirements of this code differ from or are not in accordance with any other applicable requirements of these regulations, the more restrictive requirements, as determined by the Planning Commission, shall apply, unless an applicant for a sign permit petitions otherwise to the Planning Commission and the Planning Commission, by majority vote, so determines that the less restrictive requirement shall apply.

14.02.06 Exemptions

Signs with a surface area of six (6) square feet or less, signs legally required for the temporary posting of public notice and signs erected in a public right-of-way by a public agency to control or direct traffic or pedestrians, or as permitted in rights-of-way owned or managed by the Colorado Department of Transportation shall be exempt from the provisions of this code.

14.03 SIGN STANDARDS AND REQUIREMENTS

14.03.01 Prohibited Signs

The following types of signs shall be prohibited in all zoning districts:

1. Signs that are not securely affixed to any structure or securely mounted.
2. Signs mounted, attached or painted on motor vehicles, trailers, boats or other mobile fixtures when such signs are used as additional advertising devices on or adjacent to the property of a business premises.
3. Signs with revolving beacons, flashing lights or with any type of animation or intermittent lighting effects, except in C Commercial and I Industrial zoning districts so long as such signs do not, in the judgment of the Planning Commission, by majority vote represent a potential danger to human health, safety or welfare.
4. Any sign designed to emit sounds.
5. Political and private signs located in any public right-of-way.
6. Signs located so as to conflict with the clear and obvious appearance and meaning of the public signs and devices controlling pedestrian, bicycle or vehicular traffic movement.
7. Roof-mounted signs or signs which project above the highest point of a roof line or fascia of a building.
8. Archway signs across any public right-of-way unless such archway signs indicated clearly in lettering highly visible to motor vehicle operators that the roadway is a public right-of-way and if a numbered county road, stating the county road number.
9. Signs attached to a building and projecting a perpendicular distance of more than three (3) feet from the wall of the building.

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10. Signs attached to a building and projecting in parallel a distance of more than three (3) feet from the wall of the building.
11. Signs announcing a proposed development prior to the granting of final approval(s) for such development or zoning by Huerfano County.
12. Signs of more than six (6) square feet identifying a home occupation.
13. Signs intended to be read by passing motor vehicle operators but which are difficult or impossible to read due to insufficient size or deteriorated condition.

14.03.02 Setback Requirements

The minimum yard setback for signs on all state highway systems and paved county roads shall not be less than seventy-five (75) feet from the property line. Where this requirement may conflict with a yard setback otherwise required in a given zoning district, the larger yard setback requirement shall prevail. Temporary “for sale”, “for lease” or “for rent” signs advertising land, buildings and personal possessions shall be exempt from this provision.

14.03.03 Illumination

Signs with exterior illumination shall have the illumination shielded from public rights-of-way and from residential uses and lodging facilities.

14.03.04 Construction and Maintenance

All signs and sign structures shall be well constructed from materials of sufficient strength and quality to withstand premature weathering or deterioration by wind, moisture and other natural elements and they shall be maintained at all times in a state of good repair with all braces, bolts, clips, supporting framework, fastenings and lettering and design work free from deterioration, insect damage, rot, rust, loosening or excess peeling. The County Building Inspector shall have the authority to order the repair, alteration or removal of a sign or structure which constitutes a hazard to health, safety or property. In the event that such a sign has not been removed, altered or repaired within thirty (30) days after written notification by the County Building Inspector, the Board of County Commissioners shall have the authority to remove said sign or structure at the expense of the owner of the property on which the sign is located.

14.03.05 On-site Signs

In A Agricultural, RR Rural Residential and UR Urban Residential zoning districts the following on-site signs shall be permitted:

1. Temporary “for sale”, “for rent” and “for lease” signs advertising vacant land, provided that the total surface area of all such signs on a property so advertised shall not exceed one hundred (100) square feet nor shall the total surface area of any one sign exceed fifty (50) square feet. All such signs shall maintain a twenty-five (25) foot setback from all property lines.

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2. One identification sign per use by right or approved conditional use provided the surface area of such sign does not exceed thirty-two (32) square feet, except that home occupation signs shall remain limited to a size of no more that six (6) square feet.
3. Signs advertising the sale of products produced or raised on the premises, provided that the total number of signs does not exceed four (4), that they are not illuminated and provided that the total surface area of such signs does not exceed forty (40) square feet nor the surface area of any one sign exceed twenty (20) square feet.
4. Identification signs for residential developments provided that only (1) sign shall be allowed for each subdivision entrance, the surface area of such sign shall not exceed forty-eight (48) square feet, the maximum height of such signs shall not, except for archway signs, exceed eight (8) feet in height and provided that such signs shall not be located closer than twenty-five (25) feet from rights-of-way.
5. Temporary advertising signs for the sale, rental or lease of dwelling units under construction or approved for construction provided that no more than one sign is erected adjacent to each access street to the subdivision and providing that the surface area of each sign does not exceed forty-eight (48) square feet and its height does not exceed eight (8) feet.
6. One (1) identification sign per model home within an approved subdivision, provided that the surface area each sign does not exceed twenty-four (24) square feet and such signs shall be required to meet the minimum yard setback requirements of the zoning district in which they are located.

In C Commercial and I Industrial zoning districts the following on-site signs shall be permitted in addition to the signs allowed under items 1. Through 6., above.

1. Directional signs are allowed and not counted as part of the total sign area allowed per individual use or per shopping center, business, commercial or industrial park provided that the total number of signs shall not exceed four (4) and provided that the surface area of each sign does not exceed eighteen (18) square feet. Directional signs shall not be required to meet minimum yard setback requirements of the district in which they are located, but they shall be placed to avoid impairing traffic visibility and not be located in any public right-of-way.
2. One (1) temporary “for sale”, “for rent” or “for lease” sign per each street frontage shall not be counted as part of the total sign area allowed per individual use or per shopping center, business, commercial or industrial park, provided that such signs shall be required to meet a twenty-five (25) foot setback from all property lines, provided that the total surface area of each sign does not exceed one hundred (100) square feet per each sign and provided the sign does not restrict traffic visibility and not be located in any public right-of-way.
3. Individual business located on a corner lot shall be allowed one (1) sign per each frontage abutting a public street at the rate of one (1) square foot of sign area per one (1) linear foot of street frontage up to a maximum of one hundred (100) square feet.

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4. Each use shall be entitled to a facial sign area of fifty (50) square feet at a minimum. Such facial sign area may be increased at the rate of one (1) square foot of sign area per each linear foot of street frontage in excess of fifty (50) linear feet up to a maximum of one hundred (100) square feet of facial sign area. Uses with a lease or rental area in excess of one hundred thousand (100,000) square feet shall be permitted a maximum of two hundred (200) square feet of facial sign area per wall area visible to a public right-of-way.
5. One (1) freestanding identification sign per street frontage shall be allowed to identify individual uses, shopping centers or business, commercial or industrial parks provided such signs do not extend more than fifteen (15) feet above ground level and provided that the surface area of such signs does not exceed one (1) square foot of sign area per each three (3) feet of linear street frontage to a maximum of two hundred (200) square feet per sign.
6. One (1) directory sign shall be allowed identifying individual business within a shopping center or business, commercial or industrial park per entrance provided that the surface area of such sign does not exceed seventy-five (75) percent of the area of the identification sign for the center or park.

14.03.06 Off-premise Signs

Off-premise signs are permitted in all zoning districts to identify uses or services oriented to highway travelers, to provide directional signs for emergency services and as advertising signs, provided such signs meet the following criteria:

1. The uses or services for highway travelers, emergency services or advertising shall be located in Huerfano County.
2. Each use or service shall be limited to one (1) off-premise sign per highway approach.
3. The off-premise sign shall not be more than ten (10) feet high nor extend more than twenty (20) feet above ground level nor be more than fifty (50) square feet in sign area.
4. The minimum distance between off-premise signs shall not be less than six hundred and sixty (660) linear feet.
5. Such signs shall comply with all Colorado Department of Transportation rules and regulations governing signs in CDOT owned or managed rights-of-way.

14.03.07 Signs Located in Airport Protection Overlay Districts

All signs to be located in an established Airport Protection Overlay district shall conform to the special height and other requirements and provisions of that district.

14.04 SIGN PERMIT PROCEDURES

Applications for sign permit shall be made to the County Building Inspector who shall, except as specified otherwise herein, administer this sign code. Upon payment of the required application fee and the submission of

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the required application materials, the County Building Inspector shall decide, on the basis of the provisions contained herein, whether to issue a sign permit, whether to deny the permit.

14.04.01 Submittal Requirements

Applications for a sign permit shall include, in addition to the application fee and an application on a form supplied by Huerfano County, a legibly done rendering, in ink, fully dimensioned, showing the sign message and a site plan showing the location, setbacks, height, construction materials and sign are of all proposed signs and sign alterations. The Planning Commission may, at its discretion, and by majority vote, require additional information for sign applications submitted to it for review.

14.04.02 Permit Issuance by the County Building Inspector

Sign permit applications meeting the requirements contained herein shall be approved by the County Building Inspector so long as such applications do not expressly require Planning Commission approval. Sign permit applications failing to meet the requirements contained herein shall be denied by the County Building Inspector.

14.04.03 Permit Review, Denial and Issuance by the Board of Adjustment and the Planning Commission

Any person denied a sign permit by the County Building Inspector may seek a variance by appealing that decision to the Board of Adjustment within sixty (60) days of the denial. The Planning Commission shall review all sign applications for signs not otherwise expressly included within the scope of this code. For sign code appeals and the applications brought before them, the board of Adjustment and the Planning Commission shall base their actions on the following criteria:

1. That there exists a clear and reasonable need for the sign at the proposed location.
2. That the type, style, size and other characteristics of the proposed sign are consistent with the character of the proposed location.
3. That the benefits that the sign would provide to residents of Huerfano County and the motoring public outweigh any esthetic or other negative impacts of the proposed sign.
4. That the location, character and other features of the proposed sign are consistent with the applicable provision of these regulations.

14.05 VARIANCES FROM THE PROVISIONS OF THIS CODE

Upon petition by an applicant, the board of Adjustment, following review and recommendation on the matter, may authorize variances from the provisions contained within this sign code or overturn administrative denials when an applicant clearly demonstrates that the literal enforcement of the provisions of this code would be inappropriate or would cause unnecessary or undue hardship on the applicant. Such variances shall not be granted if, in the opinion of the Board of Adjustment, they would prove detrimental to the public health, safety or welfare

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of the county and its residents or would cause visual degradation of the landscape or would prove contrary to the purposes and intent of these regulations.

See also Section 14.02.03, Permit Review, Denial and Issuance by the Board of Adjustment and the Planning Commission, on variance criteria and Section 14.02, The Board of Adjustment, on the powers and duties of, submittal requirements to and appeals from actions by the Board of Adjustment.

The conditions of any variance authorized by the Board of Adjustment, as provided for in Section 14.02, The Board of Adjustment, shall be stated in writing in the minutes of the Board along with the justification for the granting or denial of such waiver variance.

14.06 NON-CONFORMING SIGNS

All signs that are or that become non-conforming at the time of adoption of these regulations may be maintained so long as they are kept in a state of good repair as specified in Section 14.02.04, Construction and Maintenance, and so long as they are not relocated, replaced, structurally altered, abandoned for a period of more than six (6) months or damaged by wind, fire or other cause to the extent that fifty (50) percent or more of their value has been destroyed. Such abandoned or damaged signs shall not be allowed to continue as non-conforming uses and shall be removed in accordance with the procedures contained in Section 14.02.04, Construction and Maintenance.

14.07 MEASUREMENT OF SIGNS

In measuring the area of signs, the structure or bracing of the sign shall be omitted from the measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two (2) or more display faces, the area of all faces shall be included in determining the area of the sign. In determining the surface area of a sign, the County Building Inspector shall measure the smallest single continuous perimeter enclosing the extreme limits of the display surface(s) of the sign including borders and nonstructural trim.

14.08 COMPLAINTS

Any person aggrieved by a violation or alleged violation of this sign code may file a written complaint with the County Building Inspector, who shall promptly investigate such complaint.

14.09 INSPECTION, ENFORCEMENT, VIOLATION AND PENALTIES

See Section 13, Enforcement, for additional information on inspection, enforcement, violations and penalties regarding this code and other regulations contained herein. A violation of this code shall be treated in the same manner as violations of the zoning regulations contained in Section 1.00, General Zoning.