

SECTION 17A NOISE – OVERLAY DISTRICT

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**1701A Intent**

To protect the peace, health, safety, and welfare of residents from excessive, unnecessary and unreasonable noise by setting maximum permissible noise levels during specific times and in certain areas. Noise is a major source of environmental pollution which represents a threat to the serenity and quality of life in the County.

**1702A Applicability**

The regulations contained in this section shall apply to all land within unincorporated Douglas County.

**1703A Maximum Permissible Noise Levels**

The following are the maximum permissible noise levels that may be emitted from lots or parcels within the following zone districts:

<b>Zone District*</b>	<b>7:00 a.m. to next 7:00 p.m.</b>	<b>7:00 p.m. to next 7:00 a.m.</b>
A-1/LRR/RR/ER/SR/MF/MH	55 dB(A)	50 dB(A)

\*Maximum permissible noise levels within planned developments shall be determined by the zone district to which a planning area and the uses established therein most closely conform.

- 1703A.01 In the hours between 7:00 a.m. and the next 7:00 p.m. the noise levels permitted may be increased by ten dB(A) for a period of not to exceed fifteen minutes in any one-hour period. [§25-12-103(2), C.R.S.]
- 1703A.02 Periodic, impulsive, or shrill noises are limited to a sound level of five dB(A) less than those listed in the above table. [§25-12-103(3), C.R.S.]
- 1703A.03 In all zone districts, the maximum permissible noise level for construction activities shall not exceed 80dB(A) between 7:00 a.m. and the next 7:00 p.m., and 75 dB(A) between 7:00 p.m. and the next 7:00 a.m., for the period within which construction is to be completed pursuant to any applicable construction permit issued, or if no time limitation is imposed, for a reasonable period of time for completion of project, as determined by the Director. [§25-12-103(5), C.R.S.]
- 1703A.04 Noise by means of any electronic amplifier shall not exceed 55 dB(A) in the B, C, LI, and GI Districts or similar districts within planned developments.

**1704A Specific Exclusions**

The following uses and/or activities are excluded from the requirements of Section 1703A:

- 1704A.01 The operation of aircraft or other activities which are subject to federal law with respect to noise control. [§25-12-103(4), C.R.S.]

- 1704A.02 The use of property for purposes of conducting speed or endurance events involving motor or other vehicles, but such exception is effective only during the specific period of time within which such use of the property is authorized by the Board of County Commissioners. [§25-12-103(7), C.R.S.]
- 1704A.03 The commercial use of property and commercial activity. [§25-12-104, C.R.S.]
- 1704A.04 The use of property for a farming or ranching activity. [§25-12-104, C.R.S.]
- 1704A.05 The use of property by the state, or any political subdivision of the state, or any of their lessees, licensees, or permittees, for the purpose of promoting, producing, or holding cultural, entertainment, athletic, or patriotic events, including, but not limited to, concerts, music festivals, and fireworks displays. [§25-12-103(11), C.R.S.] If such activity requires a separate County approval, this exception is effective only during the specific period of time within which such use of the property is authorized by the Board of County Commissioners.
- 1704A.06 Public utilities regulated pursuant to Title 40, C.R.S. [§25-12-103(12), C.R.S.]
- 1704A.07 Oil and gas production subject to the provisions of Article 60 of Title 34, C.R.S. [§25-12-104, C.R.S.]
- 1704A.08 The sound made by:
- 1704A.08.1 Any authorized emergency vehicle or emergency signaling device, when responding to an emergency call or acting in time of emergency.
  - 1704A.08.2 Motor vehicles, motorcycles, off-highway vehicles, and snowmobiles.
  - 1704A.08.3 Activities conducted pursuant to a special use permit issued by the County, unless noise is not addressed by the special use permit.
  - 1704A.08.4 Animals.
  - 1704A.08.5 The maintenance of real property between the hours of 8:00 am and the next 8:00 pm.
  - 1704A.08.6 Firearms.

**1705A Measurement of Sound Level**

- 1705A.01 Sound shall be measured on the “A” weighting scale on a sound level meter of standard design and quality and characteristics established by the American National Standards Institute.
- 1705A.02 Sound shall be measured twenty-five feet or more from the lot line where the source of the noise is located, unless otherwise specified. *[\$25-12-103(1), C.R.S.]*
- 1705A.03 Measurements with sound level meters shall be made when the wind velocity at the time and place of such measurement is not more than five miles per hour *[\$25-12-103(8), C.R.S.]*, or ten miles per hour with the windscreen.
- 1705A.04 For all sound level measurements, consideration shall be given to the effect of the ambient noise level created by the encompassing noise of the environment from all sources at the time and place of such sound level measurement. *[\$25-12-103(9), C.R.S.]*