Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice Chair
Yves Bradley
Alex Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance

ZA-19-05 Density Calculations

ZA-19-06 Article 7 Signs

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on the following proposed amendments to the City of Burlington's *Comprehensive Development Ordinance* (CDO). The public hearing will take place on **Tuesday, November 27, 2018 beginning at 6:45pm** in Conference Room 12, City Hall, 149 Church Street, Burlington, VT.

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose: This amendment is proposed to the Burlington CDO as follows:

- **ZA-19-05:** The purpose of this proposed amendment to provide additional detail regarding the method for calculating permitted density on a lot, to incorporate language into this calculation that is consistent with Article 13 Definitions, and to update the methodology for calculating non-residential density.
- **ZA-19-06:** The purpose of this proposed amendment is a comprehensive update to the city's sign regulations in an effort to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type and thereby assure content neutrality.

Geographic areas affected: the proposed amendments are applicable to the following areas in the City of Burlington:

- **ZA-19-05:** The amendment applies to all areas of the city.
- **ZA-19-06:** The amendment applies to all areas of the city.

List of section headings affected:

- **ZA-19-05:** The proposed amendment modifies *Sec. 5.2.7 (a) Dwelling Units per Acre*.
- **ZA-19-06:** The proposed amendment modifies all sections of *Article 7: Signs*.

The full text of the *Burlington Comprehensive Development Ordinance* and the proposed amendment is available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at www.burlingtonvt.gov/pz.

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, November 27, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

AGENDA

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Public Forum - Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Public Hearing: Proposed ZA-19-05 Density Calculations (Time Certain: 6:45pm)

The Commission will hold a public hearing on a proposed amendment to the *Burlington Comprehensive Development Ordinance,* (formerly ZA-18-04), regarding the method for calculating density. Information related to this item is included in the agenda packet on pages 4-5.

Staff Recommendation: Following the hearing, refer the amendment to Council with recommendation.

VI. Public Hearing: Proposed ZA-19-06 Article 7 Sign Ordinance

The Commission will hold a public hearing on a proposed amendment to the *Burlington Comprehensive Development Ordinance* to update Article 7 Sign Ordinance. Materials related to this item are included in the agenda packet on pages 6-57.

Staff Recommendation: Following the hearing, refer the amendment to Council with recommendation.

VII. Proposed CDO Amendment: Commercial Uses in E-LM *(20 min)*

The Commission will discuss a proposed amendment to the *Burlington Comprehensive Development Ordinance* regarding commercial uses permitted in various parts of the E-LM zoning district. Materials realted to this item will be available in advance of the meeting.

Staff Recommendation: Discuss the proposed amendment and make refinements if necessary. Following discussion, approve the municipal bylaw amendment report and take action to warn for public hearing.

VIII. 2019 planBTV Update *(20 min)*

The public will be invited to offer comments and ask questions regarding the draft plan during this agenda item. If time permits, Commissioners and staff will also discuss input received so far and begin to identify potential edits to be made to the draft following public hearing. The draft plan is available at: www.burlingtonvt.gov/planBTV

Staff Recommendation: No action is needed. Commissioners are encouraged to ask question and offer feedback on the draft to inform potential edits after the December 5 public hearing.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

IX. Permit Reform *(20 min)*

The Commission will continue to discuss the proposed reorganization of City Departments based on the Permit Reform Initiative.
Staff Recommendation: The Commission is requested to provide a recommendation for consideration by the City Council regarding the proposed reorganization.

X. Committee Reports

a. Executive Committee
b. Ordinance Committee
c. Long Range Planning Committee

XI. Commissioner Items

a. ***planBTV:Comprehensive Plan*** **Draft Update Presentation & Public Hearing is on December 5, 2018 at 6:30pm in Contois Auditorium.**

b. The next regular meeting will be on Tuesday, December, 11, 2018 at 6:30pm.

c. Potential special meeting on January 9 or 14?

XII. Minutes & Communications

The Commission will review and approve the minutes of the November 13 and November 20, 2018 meetings, enclosed on pages 58-62 of the agenda packet, and communications enclosed on pages 63-72.

XIII. Adjourn

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, November 27, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

AGENDA

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Public Forum- Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Public Hearing: Proposed ZA-19-05 Density Calculations (Time Certain: 6:45pm)

The Commission will hold a public hearing on a proposed amendment to the *Burlington Comprehensive Development Ordinance,* (formerly ZA-18-04), regarding the method for calculating density. Information related to this item is included in the agenda packet on pages 4-5.

Staff Recommendation: Following the hearing, refer the amendment to Council with recommendation.

VI. Public Hearing: Proposed ZA-19-06 Article 7 Sign Ordinance

The Commission will hold a public hearing on a proposed amendment to the *Burlington Comprehensive Development Ordinance* to update Article 7 Sign Ordinance. Materials related to this item are included in the agenda packet on pages 6-57.

Staff Recommendation: Following the hearing, refer the amendment to Council with recommendation.

VII. Proposed CDO Amendment: Commercial Uses in E-LM *(20 min)*

The Commission will discuss a proposed amendment to the *Burlington Comprehensive Development Ordinance* regarding commercial uses permitted in various parts of the E-LM zoning district. Materials realted to this item will be available in advance of the meeting.

Staff Recommendation: Discuss the proposed amendment and make refinements if necessary. Following discussion, approve the municipal bylaw amendment report and take action to warn for public hearing.

VIII. 2019 planBTV Update *(20 min)*

The public will be invited to offer comments and ask questions regarding the draft plan during this agenda item. If time permits, Commissioners and staff will also discuss input received so far and begin to identify potential edits to be made to the draft following public hearing. The draft plan is available at: www.burlingtonvt.gov/planBTV

Staff Recommendation: No action is needed. Commissioners are encouraged to ask question and offer feedback on the draft to inform potential edits after the December 5 public hearing.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

IX. Permit Reform *(20 min)*

The Commission will continue to discuss the proposed reorganization of City Departments based on the Permit Reform Initiative.
Staff Recommendation: The Commission is requested to provide a recommendation for consideration by the City Council regarding the proposed reorganization.

X. Committee Reports

a. Executive Committee
b. Ordinance Committee
c. Long Range Planning Committee

XI. Commissioner Items

a. ***planBTV:Comprehensive Plan*** **Draft Update Presentation & Public Hearing is on December 5, 2018 at 6:30pm in Contois Auditorium.**

b. The next regular meeting will be on Tuesday, December, 11, 2018 at 6:30pm.

c. Potential special meeting on January 9 or 14?

XII. Minutes & Communications

The Commission will review and approve the minutes of the November 13 and November 20, 2018 meetings, enclosed on pages 58-62 of the agenda packet, and communications enclosed on pages 63-72.

XIII. Adjourn

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice Chair
Yves Bradley
Alex Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance

ZA-19-05 Density Calculations

ZA-19-06 Article 7 Signs

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on the following proposed amendments to the City of Burlington's *Comprehensive Development Ordinance* (CDO). The public hearing will take place on **Tuesday, November 27, 2018 beginning at 6:45pm** in Conference Room 12, City Hall, 149 Church Street, Burlington, VT.

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose: This amendment is proposed to the Burlington CDO as follows:

- **ZA-19-05:** The purpose of this proposed amendment to provide additional detail regarding the method for calculating permitted density on a lot, to incorporate language into this calculation that is consistent with Article 13 Definitions, and to update the methodology for calculating non-residential density.
- **ZA-19-06:** The purpose of this proposed amendment is a comprehensive update to the city's sign regulations in an effort to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type and thereby assure content neutrality.

Geographic areas affected: the proposed amendments are applicable to the following areas in the City of Burlington:

- **ZA-19-05:** The amendment applies to all areas of the city.
- **ZA-19-06:** The amendment applies to all areas of the city.

List of section headings affected:

- **ZA-19-05:** The proposed amendment modifies *Sec. 5.2.7 (a) Dwelling Units per Acre*.
- **ZA-19-06:** The proposed amendment modifies all sections of *Article 7: Signs*.

The full text of the *Burlington Comprehensive Development Ordinance* and the proposed amendment is available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at www.burlingtonvt.gov/pz.

Department of Planning and Zoning
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)
www.burlingtonvt.gov//PZ

Burlington Planning Commission Report
Municipal Bylaw Amendment
ZA-19-05 Density Calculations

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The purpose of this proposed amendment is to provide additional detail regarding the method for calculating permitted residential density on a lot, to incorporate language into this calculation that is consistent with Article 13 Definitions, and to update the methodology for calculating non-residential density.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

The portion of this proposed amendment regarding the method for calculating residential density does not have an impact on the allowable density of residential lots, and therefore has no impact on the goals and policies regarding safe and affordable housing.

The portion of the proposed amendment regarding the method for calculating non-residential density furthers the plan's policies regarding the availability of safe and affordable housing, specifically by removing language which considers hallways, stairwells and other supporting areas of residential buildings towards the residential density limit. This calculation effectively limits the permissible number of dwelling units for multi-family residences. Eliminating this provision is consistent with the plan's housing action to "support the creation of new rental and owner-occupied housing units on every parcel of land zoned for residential development at the number of units allowed by zoning".

Compatibility with the proposed future land uses and densities of the municipal development plan:

The proposed amendment corrects the methodology outlined in the *Comprehensive Development Ordinance* such that lots may be developed, and the densities more accurately calculated, at the densities permitted within various zoning districts.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

Department of Planning and Zoning
149 Church Street
Burlington, VT 05401
Telephone:(802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, FAICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Shaleigh Draper, Zoning Clerk

TO: Planning Commission
FROM: Scott Gustin
DATE: October 16, 2018
RE: Density Calculations Reassigned as ZA-19-05

Amendment ZA-18-04 Density Calculations expired on October 10, 2018. Before its expiration, City Council's Ordinance Committee reviewed and approved the amendment as it was referred to them by the Planning Commission. Further, the motion indicated the following actions:

"(1) approve the ordinance amendment as proposed and refer to the Planning Commission to have a public hearing on a new and identical proposed amendment and (2) recommend that if such a proposed new and identical amendment is recommended by the Planning Commission to suspend the rules and have a first and second reading and public hearing at City Council with a recommendation of adoption."

As such, proposed ZA-18-04 is expired. A new and identical ZA-19-05 is proposed, which includes the following changes. Deleted language is ~~crossed out~~ and new language is underlined in red.

Sec. 5.2.7 Density ~~and Intensity of Development~~ Calculations

(a) Dwelling Units per Acre:

In accordance with the district-specific provisions of Article 4, the calculation of ~~development intensity~~ density shall be measured as follows in such cases where the ~~intensity of development~~ density is measured on a dwelling unit per acre basis:

1. Density Calculation: The total number of dwelling units provided on a ~~development site~~ lot or lots, or portion of the ~~site~~ lot(s) where split by a zoning district boundary, shall be divided by the ~~gross~~ net ~~site~~ area of the lot(s) expressed in acres calculated to the nearest fractional tenth (i.e. to a single decimal point). The net area of the lot(s) shall account for buildable area where applicable (see Sec. 5.2.4). In calculating the number of ~~residential~~ dwelling units permitted, fractional units of less than five-tenths (0.5) shall be rounded down to the nearest whole number and fractional units of five-tenths (0.5) or greater shall be rounded up to the nearest whole number. Any rounding of fractional units shall be limited to a single final calculation ~~for any development~~.
2. Density Equivalent, Nonresidential Uses: For purposes of density calculations, each one thousand, five hundred (1,500) square feet of nonresidential gross floor area ~~not contained within a dwelling unit or within common hallways, stairwells and elevator shafts serving said dwelling units~~ shall be counted as one dwelling unit.

(b) Floor Area Ratio:
As written.

Department of Planning and Zoning
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)
www.burlingtonvt.gov//PZ

Burlington Planning Commission Report
Municipal Bylaw Amendment
ZA-19-06 Article 7 Sign Ordinance

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The purpose of this proposed amendment is a comprehensive update to the city's sign regulations in an effort to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type, and thereby assure content neutrality.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

The proposed amendment has no impact on the goals and policies in the Municipal Development Plan regarding the availability of safe and affordable housing.

Compatibility with the proposed future land uses and densities of the municipal development plan:

The proposed amendment has no impact on the proposed future land uses and densities of the Municipal Development Plan.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

Burlington Comprehensive Development Ordinance
PROPOSED: ZA-19-06 Article 7 Signs

As warned for Public Hearing – November 7, 2018

Changes shown (underline to be added, ~~strike-out~~ to be deleted) are proposed changes to the *Burlington Comprehensive Development Ordinance.*

Purpose: This amendment is a comprehensive revision of the city's sign regulations in an effort to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type and thereby assure content-neutrality.

ARTICLE 7: SIGNS

Introduction: This Article of the Burlington Comprehensive Development Ordinance addresses the type, size, location, and design of all types of Signs throughout the city. In the regulation of Signs, it is important to understand that the City is considering only the physical aspects of the Sign, not content. Signs can be considered and permitted individually, or as part of a "Sign Master Plan" that treats all Signs within a development or complex as a group to encourage creativity.

Table of Contents – to be revised later

PART 1: GENERAL PROVISIONS

Sec. 7.1.1 Authority and Intent

These regulations are enacted under the provisions of 24 V.S.A. Section 4411 with the intent to ensure that all ~~sign~~Signs and advertising features ~~are~~that:

(a) Effectively maintain a safe and orderly pedestrian and vehicular environment by being legible and not distracting to motorists, cyclists, and pedestrians;

(b) Reduce potentially hazardous conflicts between Signs and traffic control devices;

(c) Compliment~~Compatible with~~ their surroundings, and protect and promote neighborhood and community character;

(d) Effectively optimize communication that support the community's sustained economic development, and reduce visual clutter within or directed upon the public realm; and,

Formatted: Tab stops: 0", List tab + Not at 0.75"

~~(a)~~(e) Are ~~A~~an enhancement to the city's ~~visual~~ built environment, and are harmonious in size, design, color, material, and lighting with the building to which it relates, without removing, obscuring or detracting from the community's character, history, and architecture.~~;~~

Formatted: Tab stops: 0.38", List tab + Not at 0.75"

Sec. 7.1.2 Permit Required

All ~~sign~~Signs~~, regardless of size,~~ shall require the issuance of a zoning permit subject to the standards of this Article before public erection and display unless otherwise specifically exempt by this Article. All Signs must be maintained in a condition or state of equivalent quality to which it was approved or required by the City.

Sec. 7.1.3 Exemptions

Repainting, refacing, repair, or change of lettering, logo, or colors using the same materials within an existing permitted Sign frame shall be exempt from the requirements of this Article and allowed without the requirement to obtain a new zoning permit.

The following types of ~~sign~~Signs are permitted in all parts of the city, and shall also be exempt from the requirements of this Article and the necessity to obtain a permit:

~~(a) Political Signs: Signs advertising political parties and/or candidates provided:~~

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

~~1. The size of such signs does not exceed thirty two (32) square feet;~~

~~2. Such signs are not erected earlier than forty five (45) days prior to the election to which they pertain; and,~~

~~3. All such signs are removed within three (3) days after the date of the election.~~

Formatted: Tab stops: 0.38", List tab + Not at 0.75" + 1"

(a) Highway and Official ~~Sign~~Signs. ~~Subject to approval by the city engineer, sign~~Signs within the public right-of-way or along a public thoroughfare designed and placed in conformance with the Manual on Uniform Traffic Control Devices (MUTCD) published by the US Dept. of Transportation, and other public information, traffic control, identification, special event, directional, public notice, and other such Signs erected by or at the direction of a government agency, court, or public utility in the performance of their public duty.

~~other official public signs or notices placed on a temporary basis for use by emergency services or public utilities.~~

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

(b) Street Address Identification ~~Signs~~. As required pursuant to Chapter 27 Sec. 101 of the *Burlington Code of Ordinances*, n~~N~~umerals that identify the street address of the property so that it can be easily identified from ~~the~~a public ~~street~~thoroughfare by patrons, guests, and emergency responders provided such numerals are a minimum of 3-inches and maximum of 10-inches in height, and the area of ~~any such~~the ~~sign~~numerals does not exceed two (2) square feet. In cases where the building is not located within view of the public street, the

Formatted: Font: Italic

numerals shall be located on a mailbox or other suitable device such that it is visible from a public thoroughfare.

~~(e) Directional Signs: Non-illuminated signs displayed on private property strictly for the direction, safety or convenience of the public, including such signs which identify the location of restrooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided the area of any such sign shall not exceed two (2) square feet.~~

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

~~(d) Real Estate Sale/Rental Sign. One temporary non-illuminated sign advertising the sale or rental of the premises or indicating that such premises have been sold or rented, provided the area of any such sign shall not exceed six (6) square feet and shall be removed within three (3) days after the rental agreement has been executed or title has been transferred.~~

(c) Flags:

1. ~~Flags or emblems of religious, educational, or governmental organizations, not to exceed 15 square feet with no single dimension greater than five feet provided they not exceed three flags per 50 feet of frontage, and are flown from supports of the buildings or grounds being occupied by the organization or an individual.~~ In all R~~r~~esidential and RCO zones:~~,~~ up to ~~two (~~2~~)~~ flags ~~and~~which may or may not be attached to ~~one (~~1~~)~~ freestanding pole per lot. ~~In all other zones, one (1) flag per 25 feet of a lot's road frontage, up to a maximum of six (6) flags and six (6) poles. In all zones, e~~Each flag may be up to ~~15~~15 square feet in area with no single dimension exceeding ~~5~~5~~-~~feet. ~~The height of the~~Any freestanding flag pole ~~shall not exceed the height limit for the zone per the district-specific dimensional requirements of Article 4. Flag pole~~ shall meet the maximum height and minimum setback requirements ~~setbacks shall be~~ per the district-specific dimensional requirements of Article 4.

Formatted: Indent: Left: 0.5", Tab stops: 0.75", List tab + Not at 1"

~~(c)~~2. In all other Zoning or Form districts: 1 flag per 25 feet of a lot's road frontage, up to a maximum of 6 flags which may or may not be attached to up to 6 freestanding poles are permitted. Each flag may be up to 24 square feet in area with no single dimension exceeding 6-feet. The height of any freestanding flag pole shall not exceed the highest point of the Principal building on the lot or 50-feet whichever is lower, and shall meet the minimum setback requirements per the district-specific dimensional requirements of Article 4 or 14 or 10-feet whichever is more restrictive.

~~(f) Contractor Sign. A single non-illuminated sign, not exceeding thirty-two (32) square feet in area, maintained on the premises while a building is actually under construction.~~

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

(d) Property Management, Information, and Directional ~~Restriction Sign~~Signs. Non-illuminated ~~sign~~Signs two (2) square feet or less in size controlling access to a property and/or oriented to and intended primarily for use internal to the property. Examples may include~~such as~~ those announcing no trespassing or solicitation; warning of hidden dangers; the private nature of a road~~,~~ or driveway~~, or premises~~;

directional and parking; and, ~~or~~ regulating fishing or hunting ~~on the premises, provided the area of any such sign shall not exceed two (2) square feet~~.

(e) Signs Inside Buildings. Any Sign which is located completely within an enclosed building and 12-inches or more behind a window or door provided they do not obscure more than 40% of the total window area between 4 and 7 feet above the adjacent sidewalk and otherwise preclude an unobstructed view into the establishment from the sidewalk.

(f) Vending Machines and Gas Pumps: Signs incorporated into vending machines or fuel pumps.

~~(g)~~ Signs Within an Athletic Field or Complex: Any Signs facing inward to the field of play and associated spectators such as those affixed to a wall, window, fence, or scoreboard.

(g)

~~(h)~~ Historic Marker: A non-illuminated Wall Sign two (2) square feet or less in size commemorating the historic significance of a building or site. ~~Holiday Decorations: Holiday decorations displayed for and during recognized federal, state, or religious holidays to the extent they do not interfere with traffic safety or in any way becomes a public safety hazard.~~

(h)

~~Home Occupation Signs. One non-illuminated sign for a permitted home occupation not to exceed two (2) square feet.~~

~~Temporary Signs.~~

~~All temporary signs are subject to the following provisions i-iv:~~

~~Must not be located within any public street right-of-way unless permitted by the Department of Public Works.~~

~~Must only be located on the property owned by the person whose sign it is and must not be placed on any utility pole, street light, or similar object unless permitted by the Department of Public Works.~~

~~Must not be illuminated.~~

~~Must be removed within 14 days after the election, sale, rental, lease, or conclusion of event which is the basis for the sign unless otherwise expressly allowed under individual temporary sign types.~~

~~Types of allowed temporary signs:~~

~~One sign of up to two (2) square feet may be placed on a property at any time for up to 30 consecutive days.~~

~~Up to [?] signs with an aggregate area of [?] may be placed on a property for a period of 30 days prior to an election involving candidates for a federal, state, or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate.~~

Formatted: Font: 12 pt, Underline

Formatted: Font: 12 pt

Formatted: Underline

Formatted: Font: 12 pt

Formatted: Underline

Formatted: No underline

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

Formatted: No underline

DRAFT

~~One sign of up to six (6) square feet may be placed on a property being offered for sale. Such sign may remain for a period of 15 days following the date on which a contract of sale has been executed by a person purchasing the property.~~

(i) ~~One sign of up to six (6) square feet may be placed on a property on a day when the property owner is opening the property to the public; provided, however, such a sign may not be used for more than 2 days in a year in all residential and RCO zones and may not be used for more than 14 days in a year in all other zones.~~ Temporary Signs: Temporary Signs are permitted subject to the standards found in Sec. 7.1.5 Temporary Signs below.

(j) Murals: Non-commercial artistic expression in the form of a unique hand-produced work of visual art which is tiled, painted directly upon, or otherwise affixed or placed directly onto an exterior wall of a building or structure provided that the Mural:

1. does not contain any advertising copy, symbols, lettering, logos or other such recognized branding related to products or services provided on the premises where the mural is located except where otherwise permitted and incorporated into a permitted Sign Type as provided in Secs. 7.2.2 through 7.2.14 Sign Types;
2. is placed on a Secondary Frontage or non-street-facing side or rear elevation of a Building or Structure; and,

~~(i)~~3. is not illuminated.

~~(j) Residential Sign: A sign of less than two (2) square feet which serve only to indicate the name and address of residential occupants.~~

~~(k) Memorials/Interpretive Markers. Non-illuminated memorial, interpretive, signs or historical signs or tablets displayed by a public or educational non-profit agency strictly for the purpose of informing or educating the public provided the area of any such sign shall not exceed thirty two (32) square feet.~~

Sec. 7.1.4 Prohibited Signs

The following types and characteristics of ~~signs~~ Signs shall be prohibited in all parts of the city:

(a) No person shall paint, paste, brand, stamp, or in any other manner hang, place on or over, or attach to any tree, rocks, or other natural feature, ~~,~~and any utility pole, street light, transformer, hydrant, bench, or any similar object or surface ~~utility pole, or other pole on any street or public right-of-way, any sign, excluding an official sign, or other~~any advertisement, bill, notice, card, Sign, or poster for any purpose unless as permitted by this Article or otherwise installed by or at the direction of the Department of Public Works or the Burlington Electric Department.

~~(b) Any off-premise sign which advertises or otherwise directs attention to any commodity or activity goods, products, or services which are not sold,~~

Formatted: Underline

Formatted: No underline

Formatted

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

Formatted: Keep with next, Keep lines together

Formatted: Keep with next, Keep lines together, Tab stops: 0.13", List tab + Not at 0.5"

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

~~manufactured, or distributed on or from the property on which the sign is located. offered or conducted elsewhere than on the premises upon which such sign is located unless otherwise provided for in Sec. 7.1.7.~~

~~(c) Any sign or supporting structure located in or over the traveled portion of any public right-of-way unless the sign is attached to a structural element of a building and an encroachment permit has been obtained from the Ddepartment of Ppublic Wworks.~~

~~Any sign or other advertising device with visible moving or movable parts or with flashing animated or intermittent illumination (except signs indicating the time, date or weather conditions), and any sign that contains any fluorescent paint or device, including mirrors, which has the effect of intensifying reflected light.~~

(b) ~~No sign or advertising device attached to a building shall be located on the roof. Nor shall any sign or advertising device project above the roof or parapet line. Nor shall any sign or advertising device project more than 12 inches out from the wall to which it is attached.~~Signs that may obstruct the view of approaching or intersecting traffic, or otherwise interfere with the clear and unobstructed view of a highway or official Sign and/or the safe movement of vehicles, bicycles, or pedestrians operating within, entering, leaving, or crossing a public right-of-way, sidewalk, path, or Thoroughfare including those located within a clear sight triangle;

(c) Any Sign and/or Sign structure that obstructs the view of, imitates, or otherwise may be may be confused with a governmental, traffic or safety Sign;

(d) Any Sign and copy that mimics the City's E-911 street naming and addressing system by using a fictitious, or "vanity," address consisting of a combination of a number, name, and/or place type (e.g. "1 City Square") that has not been assigned by the City and thus may interfere with the timely and accurate response by emergency services.

(e) Signs that interfere with free passage from or obstructs any fire escape, downspout, window, door, stairways, ladder, or building opening intended as a means of ingress or egress or providing light or air.

(f) Signs located on any property without prior authorization granted by the Property Owner;

Formatted: Tab stops: 0.13", List tab + Not at 0.5"

(g) Any Sign which advertises goods, products, or services which are not sold, manufactured, stored, or distributed on or from the property on which the Sign is located.

(h) Signs located on the roofs of Buildings or Structures, or that project above the roof or parapet line;

(i) Signs mounted, attached, or painted on a trailer, boat, motor vehicle, or other mobile conveyance when parked, stored, or displayed conspicuously close to or within the public right-of-way in a manner intended to attract the attention of the public for advertising purposes, except where the motor vehicle or trailer is

regularly and consistently used and moved to conduct normal business activities; and,

(j) Signs of any of the following types or with any of the following features or characteristics:

a. Any Sign, portion of a Sign, or other advertising device with:

i. visibly moving or movable parts; or,

ii. flashing, animated, or intermittent illumination except for those specifically allowed in Sec. 7.1.9 or Sec. 7.2.7; or,

iii. fluorescent paint or tape, mirrors, disks, reflectors, or similar devices which has the effect of intensifying reflected light.

b. Inflatable Signs, such as but not limited to balloons, gas inflated Signs, blimps, or similar inflated Signs;

c. Portable Signs, except for Sandwich Board Signs as permitted under Sec. 7.2.11 below or by the Department of Public Works for placement in the public right-of-way;

d. Windblown devices such as but not limited to, streamers, spinners, banners, pennants, and Flags other than those specifically allowed in Sec. 7.1.3 (d); and,

e. Searchlights, outdoor image projections, or any other similar displays projected from an external light source into the sky or onto any Building, Structure, right-of-way, or Thoroughfare, except as may be allowed on a limited basis for special events by the Church Street Marketplace Commission, Public Works Commission, Parks Recreation and Waterfront Commission, or City Council.

Formatted: List Paragraph, Left, Tab stops: 0.63", List tab + Not at 1"

Formatted: List Paragraph, Left

Formatted: Tab stops: 0.63", List tab + Not at 1"

Formatted: No bullets or numbering

DRAFT

Sec. 7.1.5 Temporary Signs

~~The display of any such temporary sign(s) shall be limited to two non-consecutive 30-day periods per calendar year. Any other sign shall be considered permanent.~~ The following types of Temporary Signs are allowed in all Districts without the requirement of a zoning permit provided they meet the standards found in Table 7.1.5-A - Temporary Signs below:

Table 7.1.5-A Temporary Signs

Temporary Banner	
Number of Signs	1 on a primary street frontage
Types Allowed	Wall
Sign Area	50 sf max.
Sign Height	No higher the floor level of the 2nd story.
Illumination	None
Duration/Frequency	Shall not exceed 30 consecutive days and a maximum of 2 display periods per calendar year separated by a minimum of 30 days between display periods.
Temporary Sign	
Number of Signs	1 on a primary street frontage
Types Allowed	Freestanding, Wall, or Window
Sign Area	6 sf max. for any individual Sign
Sign Height	Freestanding: 4' max above the finished grade (including supports), 3' max if located within a Clear Sight Triangle Wall or Window: No higher the floor level of the 2nd story.
Illumination	None
Duration/Frequency	Shall not exceed 30 consecutive days and a maximum of 2 display periods per calendar year separated by a minimum of 30 days between display periods.
Real Estate Sign	
Number of Signs	1 on a primary street frontage of a property offered for rent or sale
Types Allowed	Freestanding, Wall, or Window
Sign Area	6 sf max.
Sign Height	Freestanding: 4' max above the finished grade (including supports), 3' max if

DRAFT

Formatted: No bullets or numbering, Keep with next, Keep lines together
Formatted: Keep with next, Keep lines together
Formatted: Font: 14 pt, (Intl) Arial
Formatted Table
Formatted: Font: 14 pt, (Intl) Arial
Formatted: Font: 12 pt, (Intl) Arial
Formatted: Keep with next, Keep lines together
Formatted Table
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Underline
Formatted: Underline
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted Table
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together
Formatted: Don't keep with next, Don't keep lines together
Formatted: Don't keep with next, Don't keep lines together
Formatted: Don't keep with next, Don't keep lines together
Formatted: Don't keep with next, Don't keep lines together

Table 7.1.5-A Temporary Signs

	located within a Clear Sight Triangle Wall or Window: No higher the floor level of the 2nd story.
Illumination	None
Duration/Frequency	Shall not be erected prior to the property being offered for sale or rent, and shall be removed within 3 days after a rental agreement has been executed or title to the property has been transferred.
Election Period Sign	
Number of Signs	6 Signs max. per property
Types Allowed	Freestanding, Wall, and/or Window including Banners
Sign Area	6 sf max. for any individual Sign
Sign Height	• Freestanding: 4' max above the finished grade (including supports), 3' max if located within a Clear Sight Triangle • Wall or Window (including Banners): No higher the floor level of the 2nd story.
Illumination	None
Duration/Frequency	Shall not be erected earlier than 60 days prior to an election, and shall be removed within 3 days afterwards.
Construction Site Sign	
Number of Signs	1 per street frontage max.
Sign Types Allowed	Freestanding or Wall
Total Sign Face Area	32 sf max in a Residential or RCO district; or, 64 sf max in all other districts.
Sign Height	8' max.
Illumination	None
Location	Installed on the premises of a project under construction
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.
Construction Site Wrap	
Number of Signs	1 per street frontage max.
Sign Height	12' max.
Illumination	None
Location	Installed along the perimeter of the premises of a project under construction. Must not be located within any public street right-of-way unless permitted by the Department of Public Works
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

Formatted: Font: 14 pt, (Intl) Arial
Formatted Table
Formatted: Font: 14 pt, (Intl) Arial
Formatted: Don't keep with next, Don't keep lines together
Formatted: Don't keep with next, Don't keep lines together
Formatted: Line spacing: single, Don't keep with next, Don't keep lines together
Formatted: Indent: Left: 0.2", Bulleted + Level: 1 + Aligned at: 0.47" + Indent at: 0.72"
Formatted: Font: 12 pt, (Intl) Arial
Formatted Table
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Font: 12 pt, (Intl) Arial
Formatted: Don't keep with next, Don't keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Don't keep with next, Don't keep lines together

DRAFT

Table 7.1.5.A Temporary Signs	
Construction Window Wrap	
Number of Signs	1 per window and door max.
Sign Area	May fill the entire glazed portion of the window and/or door.
Illumination	None
Location	Installed on the premises of a project under construction.
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction of if the project ceases construction for 12 months or longer.

Sec. 7.1.6 Non-Conforming Signs

Any legally pre-existing ~~sign~~Sign or other advertising device which does not conform to the current provisions of this ~~ordinance~~ Article ~~in terms of location, area, illumination, type, or height~~ shall be deemed a non-conforming ~~sign~~Sign. Non- conforming ~~sign~~Signs may remain in use at the same location, and ordinary maintenance and repair of such ~~sign~~Signs shall be permitted.

A non-~~-~~conforming ~~sign~~Sign shall not be relocated, enlarged, replaced, redesigned, or altered in any way (except for repainting, refacing, repair or a change of lettering, logo, or colors using the same materials within ~~an~~ the existing ~~sign~~Sign frame ~~subject to obtaining a zoning permit~~) except to bring the ~~sign~~Sign into complete or substantially greater compliance with this Article. In such cases, the DRB may allow a new ~~sign~~Sign to be in substantially greater compliance than the existing nonconforming ~~sign~~Sign subject to the ~~development review criteria~~applicable requirements of this ~~in~~ Article ~~6~~. Nonconforming signs that are destroyed or damaged by 50% or more of their value shall not be rebuilt or repaired after one (1) year except in full conformance with this Article.

Sec. 7.1.7 Discontinuance and Removal ~~Off-Premise Signs~~

Any Sign advertising an activity, business, service, or product must be removed, or the Sign face replaced with a blank face, within 60 days of the activity, business, or service promoted by the Sign being discontinued on the premises where the Sign is displayed. If the use is not reestablished, or a new use is not established, within one (1) year, then the entire Sign Structure and mounting hardware shall be removed.

Formatted: Font: 14 pt, (Intl) Arial
Formatted: Font: 14 pt, (Intl) Arial
Formatted Table
Formatted: Font: 12 pt, (Intl) Arial
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri), Highlight
Formatted: Highlight
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Font: +Body (Calibri)
Formatted: Keep with next, Keep lines together
Formatted: Indent: Left: 0"
Formatted: Not Highlight
Formatted: Heading 3,Char4,Char41, Char4, Char41, Indent: Left: 0", Space After: 0 pt, Don't suppress line numbers, Hyphenate
Formatted: Heading 3,Char4,Char41, Char4, Char41, Left, Indent: Left: 0", Space After: 0 pt
Formatted: Indent: Left: 0"
Formatted: Heading 3,Char4,Char41, Char4, Char41, Left, Indent: Left: 0", Space After: 0 pt

DRAFT

~~**Off-premise signs shall not be permitted with the following exceptions:**~~

~~(a) **Political signs as regulated by Sec. 7.1.3;**~~

~~(b) **Temporary non-illuminated signs directing persons to temporary exhibits, shows or events provided:**~~

~~1. **The size of such sign does not exceed twelve (12) square feet in area; and,**~~

~~2. **Such signs are not posted earlier than two (2) weeks prior to the event and are removed within three (3) days after the event.**~~

~~(c) **Non-illuminated signs used for directing members or patrons to service clubs, churches or other nonprofit organizations provided:**~~

~~1. **Such signs indicate only the name of the facility and the direction of the facility; and,**~~

~~2. **Such signs do not exceed four (4) square feet in area.**~~

~~(d) **Sandwich board signs as regulated by the dept. of public works.**~~

Sec. 7.1.8 Sign Permit Applications, ~~and~~ Submission Requirements, Review and Decision-making

An ~~Sign A~~application as provided in Article 3 ~~-~~is necessary for those requests pertaining to all ~~sign~~Signs covered by the requirements of this Article.

Submission requirements shall also include all the following~~,~~ as applicable:

1. A completed application form, and signed by the property owner, along with the applicable fee;
2. A scaled rendering of the proposed ~~sign~~Sign indicating its dimensions in square inches or feet (length, width, height), and all materials and colors used;
3. Applications involving ~~freestanding~~ Freestanding, Freestanding Yard, and Monument ~~sign~~Signs shall include a scaled site plan indicating the location of all existing and proposed ~~sign~~Signs on the lot, ~~and~~ all setbacks in feet from the property lines and/or rights-of-way, and the location of any Clear Sight Triangle.
4. Applications involving ~~parallel~~ Awning, Blade, Canopy, Marquee, Nameplate, Outdoor Display Case, Projecting, Window, and/or Wall ~~and projecting sign~~Signs shall include ~~a~~ scaled building elevations indicating the location of all existing and proposed ~~sign~~Signs on the building ~~face~~ facade and the frontage dedicated to the establishment in linear feet.
5. Where applicable, the type and method of illumination (i.e. external, internal, or backlit), including the fixture style, placement, and bulb wattage and type. Applications involving an Electronic Changeable Message must also provide written certification from the sign manufacturer that the luminance of the display has been factory pre-set so that it will not exceed 5,000 nits~~;~~.
6. The total square footage of all existing ~~sign~~Signs for the establishment; and,

Formatted: Font: 11 pt

Formatted: Heading 3,Char4,Char41, Char4, Char41, Left, Indent: Left: 0", Space After: 0 pt, Keep with next, Keep lines together

Formatted: Keep with next, Keep lines together

Formatted: Indent: Left: 0", Keep with next, Keep lines together

Formatted: Indent: Left: 0.13", Keep with next, Keep lines together, Tab stops: 0.38", List tab + Not at 0.75"

Formatted: Indent: Left: 0.13", Tab stops: 0.38", List tab + Not at 0.75"

DRAFT

7. Photographs of the building or site where the ~~sign~~Sign is proposed.

~~Such~~ Sign Permit requests ~~require only~~shall receive administrative review and approval pursuant to the procedural requirements of Sec. 3.2.7 and the requirements and standards of this Article except as provided for in Sec. 7.1.6 for modifications to a non-conforming sign and Sec. 7.3.2 Master Sign Plans which shall receive review and approval by the DRB.

The Church Street Marketplace District shall be afforded an opportunity to review and comment on any application for a Sign placed within the Church Street Marketplace prior to final action under this Article.

Sec. 7.1.9 Calculation of Sign Area and Height

(a) The following shall govern the calculation of a Sign's area:

1. The area of a Sign shall include all numerals, lettering, designs, logos, or symbols, together with the background, whether open or enclosed, upon which they are displayed. Not included are any supporting framework incidental to the display itself unless specifically indicated otherwise under Secs. 7.2.2 through 7.2.14 Sign Types.
2. Where a Sign consists of only individual numerals, letters, logos, or symbols attached, painted, or applied directly to a door, wall, or window, the area shall be considered to be the smallest polygon which would enclose the sign encompassing all the letters and symbols. *(See Figure 7.1.9-1).*

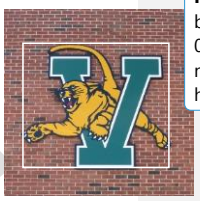
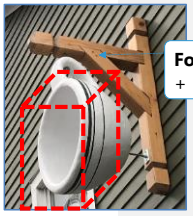


Figure 7.1.9-1 Area of a Sign affixed directly on a ~~building~~wall or window.

3. If a Sign has two or more faces, the area of all faces is included in determining the maximum area of the Sign, unless the two faces are identical and placed back to back or are no more than two feet apart. In such case, the Sign area is calculated as the area of one face. If the two faces are unequal in area, the area of the larger face is used to calculate Sign area.
4. The Sign area of a three-dimensional, free-form, or sculptural (non-planar) Sign is calculated as 50% of the sum of the area of the four vertical sides of the smallest cube that will encompass the Sign.



5. The maximum allowable area of a Sign shall include all permanent Signs attached, painted, or applied to a building facade. If an establishment has walls fronting on two (2) or more streets, the Sign area for each street shall be computed separately.
6. Limitations on the height of lettering shall pertain only to the height of individual characters.

(b) Unless described otherwise under Secs. 7.2.2 through 7.2.14 Sign Types, the following shall govern the calculation of a Sign's height:

Formatted: Indent: Left: 0"

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together, Suppress line numbers, Don't hyphenate

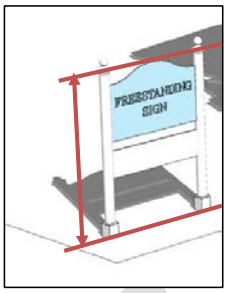
Formatted: Indent: Left: 0.5", Tab stops: 0", List tab

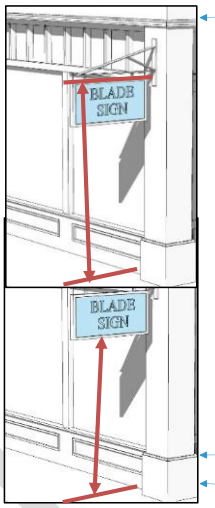
Formatted: Indent: Left: 0.5", Tab stops: 0.75", List tab + Not at 1.5"

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

DRAFT

1. Sign height overall is measured as the vertical distance from the finished grade at the base of a freestanding Sign, or of a building or structure for an attached Sign, to the highest point of the Sign.
2. For Signs attached to and projecting from a building or structure, vertical clearance is measured as the vertical distance from the finished sidewalk level to the lowest point of the Sign or Sign structure.





~~(c) Calculation of Sign Area:~~
~~The following shall govern the calculation of a sign's area:~~
~~1. The area of a sign shall include all lettering, designs, or symbols, together with the background, whether open or enclosed, upon which they are displayed. Not included are any supporting framework incidental to the display itself.~~
~~2. Advertising relating to a specific product or products sold on the premises, or the utilization of corporate symbols, logos, or similar features, shall be included in the aggregate sign area permitted for each establishment.~~
~~3. Where a sign consists of individual letters or symbols attached, painted, or applied directly to a building, wall, or window, the area shall be considered to be the smallest rectangle encompassing all the letters and symbols. *(See Figure 7.1.10-1)*~~
~~4. In computing the area of a double-faced sign, only one side shall be considered if both faces are identical. Notwithstanding the above, if the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.~~
~~5. The maximum allowable area of a sign shall include all permanent signs attached, painted, or applied to a building facade. If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall be computed separately.~~

Figure 7.1.10-1 Area of a ~~sign~~Sign affixed directly on a building.

Sec. 7.1.10 Sign Lighting

The following requirements shall pertain to the lighting of all Signs:

(a) The eligibility of lighting for any Sign shall be as indicated under Secs. 7.2.2 through 7.2.14 Sign Types.

(b) All Signs shall be illuminated such that the illumination is steady and stationary, directed solely at the Sign or internal to it, and does not create glare or unduly illuminate the surrounding area.

Formatted: Indent: Left: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Tab after: 1.5" + Indent at: 1.5", Tab stops: 0.75", List tab + Not at 1.5"

Formatted: Normal

Formatted: Left, Indent: Left: 0", Space After: 0 pt

Formatted: Left, Space After: 0 pt, No bullets or numbering, Don't suppress line numbers, Hyphenate

Formatted: Indent: Left: 0.38", No bullets or numbering, Tab stops: Not at 1.5"

Formatted: Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

(c) The luminance of any Sign shall not exceed 250 nits between dusk and dawn, as measured from the brightest element of the Sign's face. Dusk and dawn are defined as, respectively, the time starting at one-half hour before sunset and one-half hour after sunrise, as determined by the National Weather Service (actual time).

(d) External Illumination:

1. Light fixtures shall be located, shielded, and directed such that the light source is directed only onto the Sign face.
2. Neither the light source or reflective surfaces of the fixture shall be visible from the public way or surrounding properties.
3. Light fixtures used to illuminate signs shall be top mounted and shall direct the light downward toward the sign.
4. Ground mounted lights shall not be used unless under special circumstances where conditions of (3) above cannot be met. In such cases, the receptacle or device housing the light source shall not extend more than 12 inches above ground, and shall be fully screened and housed.
5. Projecting light fixtures must be simple and unobtrusive in appearance and not obscure the Sign.

(e) Reverse Channel Illumination (i.e. Backlit):

1. Backlit Signs shall light lettering and logo and other related Sign elements only, and lighting design shall be such that no excess light spill or glare results from the back lighting fixtures and/or source.
2. The light source shall not be visible from the public way or surrounding properties.
3. Illumination levels shall not increase the measurable vertical light level at any point 20 feet distant from the Sign in any direction.

(f) Internal Illumination:

1. Internally illuminated Signs shall be designed such that light passes through the lettering, logo, and other related Sign elements only, and the background shall remain opaque and light transmission shall be blocked.
2. The Sign cabinet shall fully enclose the light source so that it is not visible from the exterior of the Sign.
3. The background must be opaque and a darker color than the message of the Sign.

(g) Direct Illumination (i.e. the use of exposed lamps, such as neon tubes and LED's, that have no shielding and are visible to the eye):

1. Direct illumination is limited to letters, numbers, symbols, and accents.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75"

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together

Formatted: Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75"

DRAFT

(h) Raceways, Conduit, Wiring, and Transformers

1. All electrical raceways, conduits, and wiring shall be contained completely within the Sign assembly or inside the wall and shall not be exposed.
2. If a raceway is necessary, it cannot extend in width or height beyond the area of the Sign.
3. A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the Sign.
4. Visible transformers are not allowed.

(i) Electronic Changeable Message:

Where permitted as provided in Secs. 7.2.2 through 7.2.14 Sign Types, Electronic Changeable Message displays shall:

1. Not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, video, or scrolling advertising.
2. Limit the luminance of the display not to exceed 5,000 nits at any time.
3. Have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers where readily visible to drivers of vehicles on any public way.
4. Consist only of alphabetic or numeric characters on a plain background, and shall not include any graphic, pictorial, video, or photographic images.
5. Utilize a maximum of only one color for the message on a dark background of only one color.
6. Have a minimum display time of two (2) minutes. When the message changes, it must complete the transition within 1 second or as rapidly as is technologically practicable whichever is less with no phasing, rolling, scrolling, flashing, or blending.
7. Be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.
8. Contain a default mechanism that freezes the changeable message in one position, or shuts off the device entirely, in the event of a malfunction.
9. Limit the area occupied by the electronic changeable message to no more than (50) percent of the maximum total allowable Sign area as provided in Secs. 7.2.2 through 7.2.14 Sign Types.
10. Be limited to a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols dedicated to the electronic changeable message.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75", Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together

Formatted: Indent: Left: 0.5", No bullets or numbering, Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75", Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75"

Formatted: Don't keep with next, Don't keep lines together

Formatted: No bullets or numbering, Don't keep with next, Don't keep lines together

DRAFT

Sec. 7.1.11 Alternative Compliance

Minor variation and relief any non-numerical standard found in this Article, and any numerical standard by no more than 20% of such requirement, may be granted by the Development Review Board after review and recommendation by the Design Advisory Board and a Public Hearing.

Decisions by the DRB regarding any Alternative Compliance granted shall be made in writing, and upon affirmative findings that:

(a) the relief sought is necessary in order to accommodate a unique circumstance or opportunity;

(b) the relief, if granted, will yield a result equal to or better than strict compliance with the standard being relieved;

(c) the relief, if granted, is the minimum variation necessary from the applicable standard to achieve the desired result;

(d) the relief, if granted, will not impose an undue adverse burden on adjacent properties; and,

(e) the remainder of the Sign will otherwise be developed consistent the purpose of this Article, and all other applicable standards.

~~Sec. 7.1.11 Sign Lighting~~

~~In addition to the outdoor lighting requirements of Sec. 5.5.2, the following requirements shall pertain to the lighting of all signs:~~

~~Signs shall be illuminated such that the illumination does not create glare or unduly illuminate the surrounding area.~~

~~Externally illuminated signs:~~

~~1. Light fixtures used to illuminate signs shall be top-mounted and shall direct the light downward toward the sign.~~

~~2. Ground-mounted lights shall not be used unless under special circumstances where conditions of (1) above cannot be met and only if reviewed by the DAB and approved by the DRB.~~

~~3. Light fixtures shall employ the use of grids, hoods, or baffles, and aimed so that light is directed only onto the sign face. The light source or reflective surfaces of the fixture shall not be visible from the public way or surrounding properties.~~

~~Backlit signs:~~

~~Backlit (i.e. reverse channel illumination) signs shall light lettering and logo and other related sign elements only, and lighting design shall be such that no excess light spill or glare results from the back lighting fixtures and/or source. The back lit sign shall not increase the measurable vertical light level at a point 20 feet distant from the sign in any direction.~~

~~In addition to other permitted lamp types, neon or similar lighting may be used to illuminate backlit signs.~~

~~Internally illuminated signs:~~

~~1. Internally illuminated signs shall be designed with light lettering and graphics against a dark field.~~

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5", Keep with next, Keep lines together

Formatted: Left, Space After: 0 pt, No bullets or numbering, Don't suppress line numbers, Hyphenate

Formatted: Left, Space After: 0 pt, No bullets or numbering, Don't keep with next, Don't keep lines together, Don't suppress line numbers, Hyphenate

DRAFT

~~2. The sign cabinet shall fully enclose the light such the light source is not visible from the exterior of the sign.~~
~~3. Internally illuminated signs shall be designed so that lamps produce no more than 200 initial lumens per square foot.~~

DRAFT

~~1. Sec. 7.1.12 Electronic Message Display~~

~~2. An electronic message display may be permitted for any grades 6-8 or secondary school, use as defined in Article 13 in any zoning district subject to the following requirements:~~

~~3. An electronic message display shall not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, moving video, or scrolling advertising.~~

~~4. An electronic message display that is readily visible to drivers of vehicles on any public way shall have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers.~~

~~5. No more than one (1) electronic message display with two sides shall be permitted per grades 6-8 or secondary school.~~

~~6. The area occupied by the message on an electronic message display may comprise no more than fifty (50) percent of the maximum total allowable sign area as provided in Article 7, Part 2.~~

~~7. The message display area may have a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols.~~

~~8. An electronic message display shall consist only of alphabetic or numeric characters on a plain background and may not include any graphic, pictorial, or photographic images.~~

~~9. A maximum of one color shall be used for an electronic message, which shall be on a dark background of one color.~~

~~10. The message that is displayed may change no more frequently than once every two (2) minutes. When the display of an electronic message changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.~~

~~11. An electronic message display shall include internal ambient light monitors that automatically adjust the brightness level of its display according to natural ambient light conditions.~~

~~12. An electronic message display shall contain a default mechanism that freezes the sign in one position if a malfunction occurs.~~

~~13. Such electronic message displays shall only be permitted on the following streets:~~

~~14. Main Street~~

~~15. North Avenue~~

~~16.~~

~~17. The hours of operations for such electronic message displays shall be permitted from 6:00am to 10:00 pm except that secondary school use shall have no such limit on the hours of operation.~~

PART 2: SIGN TYPES

Formatted: Font: Not Italic

Formatted: Highlight

Formatted: No bullets or numbering

Sec. 7.2.1 Sign Types

~~Sec. 7.1.9 Types of Signs~~All Signs shall meet the standards set forth in this Article, and the Sign Types described in this Part in Secs. 7.2.2 through 7.2.14 below.

(a) Mixing Multiple Sign Types:

1. Mixing multiple Signs types on a single building or site in any combination is permitted unless otherwise limited by the Sign Type or Table 7.2.1-A below.

Table 7.2.1-A Sign Type Combinations

	Awning & Canopy Sign	Band Sign	Blade Sign	Directory Sign	Freestanding Sign	Freestanding Yard Sign	Marquee	Monument Sign	Projecting Sign	Outdoor Display Case	Sandwich Board	Wall Sign	Window Sign
Awning & Canopy Sign		●	●	●	●	●	O	●	●	●	●	●	●
Band Sign	●		●	●	●	●	●	●	●	●	●	●	●
Blade Sign	●	●		●	●	O	O	O	O	●	●	●	●
Directory Sign	●	●	●		●	●	●	●	●	●	●	●	●
Freestanding Sign	●	●	●	●		O	O	O	O	●	●	●	●
Freestanding Yard Sign	●	●	O	●	O		O	O	O	●	●	●	●
Marquee	O	●	O	●	O	O		O	O	●	●	●	●
Monument Sign	●	●	O	●	O	O	O		O	●	●	●	●
Projecting Sign	●	●	O	●	O	O	O	O		●	●	●	●
Outdoor Display Case	●	●	●	●	●	●	●	●	●		●	●	●
Sandwich Board	●	●	●	●	●	●	●	●	●	●		●	●
Wall Sign	●	●	●	●	●	●	●	●	●	●	●		●
Window Sign	●	●	●	●	●	●	●	●	●	●	●	●	

O - Sign Types are **not** permitted on the same frontage or elevation.

●- Sign Types are permitted on the same frontage or elevation.

2. Multiple signs on a facade shall be designed and organized in a manner consistent and complementary with the overall architecture of the Building, and employ complimentary materials, colors, design, and scale of letters.

(b) The Sign Types permitted in each form or zoning district shall be as defined in Table 7.2.1-B below:

DRAFT

Formatted: Justified, Indent: Left: 0.25", Space After: 6 pt, Suppress line numbers, Don't hyphenate

Formatted Table

Formatted: Left, Right: 0.08"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Indent: Left: 0.04"

Formatted: Left, Indent: Left: 0.54", First line: 0"

Formatted: Font: Bold, Underline

Formatted: Font: (Default) Times New Roman

Formatted: Left, Indent: Left: 0.54"

Formatted: Font: (Default) Times New Roman

Formatted: Justified, Space After: 6 pt, Suppress line numbers, Don't hyphenate

Formatted: Justified, Space After: 6 pt, Numbered + Level: 1 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 0.75" + Indent at: 0.75", Suppress line numbers, Don't hyphenate

Table 7.2.1-B Sign Types Permitted by Form/Zoning District

	Mixed Use							Enterprise & Institutional			Standard
Sign Type	FD6	FD5	DW-PT	NAC	NAC-CR	NAC-RC	NMU	E-LM	E-AE	I	
Awning & Canopy Sign	●	●	●	●	●	●	●	●	●	●	7.2.2
Band Sign	●	●	●	●	●	●	●	●	●	●	7.2.3
Blade Sign	●	●	●	●	●	●	●	●	●	●	7.2.4
Directory Sign	●	●	●	●	●	●	●	●	●	●	7.2.5
Freestanding Sign	●	●	●	●	●	●	●	●	●	●	7.2.6
Freestanding Yard Sign	●	●	●	●	●	●	●	●	●	●	7.2.7
Marquee	●	●	●	●	○	○	○	○	○	●	7.2.8
Monument Sign	●	●	●	●	●	●	●	●	●	●	7.2.9
Outdoor Display Case	●	●	●	●	●	●	●	●	●	●	7.2.10
Projecting Sign	●	●	●	●	●	●	●	●	●	●	7.2.11
Sandwich Board	●	●	●	●	●	●	●	●	●	●	7.2.12
Wall Sign	●	●	●	●	●	●	●	●	●	●	7.2.13
Window Sign	●	●	●	●	●	●	●	●	●	●	7.2.14

● - Sign Type is permitted ○ - Sign Type is **not** permitted

Formatted: Font: 12 pt, Font color: Auto, (Intl) Arial
Formatted: Font: 12 pt, Font color: Auto, (Intl) Arial
Formatted Table
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted Table
Formatted: Centered
Formatted: Centered
Formatted: Centered
Formatted: Font: Bold, Underline

DRAFT

Table 7.2.1-B Sign Types Permitted by Form/Zoning District (continued)

	Residential			Civic, RCO & Urban Reserve				Standard
Sign Type	RH	RM/ RM-W	RL/ RL-W	Civic & RCO-R/G	RCO-A	RCO-C	UR	
Awning & Canopy Sign	●	O	O	O	O	O	O	7.2.2
Band Sign	O	O	O	O	O	O	O	7.2.3
Blade Sign	●	●	●	●	●	●	O	7.2.4
Directory Sign	●	●	●	●	●	O	O	7.2.5
Freestanding Sign	O	O	O	●	O	O	●	7.2.6
Freestanding Yard Sign	●	●	●	●	●	●	●	7.2.7
Marquee	O	O	O	O	O	O	O	7.2.8
Monument Sign	O	O	O	●	O	O	●	7.2.9
Outdoor Display Case	O	O	O	●	●	O	O	7.2.10
Projecting Sign	O	O	O	●	O	O	O	7.2.11
Sandwich Board	O	O	O	●	●	●	●	7.2.12
Wall Sign	●	●	●	●	O	O	O	7.2.13
Window Sign	●	●	●	●	●	●	O	7.2.14
● - Sign Type is permitted				O - Sign Type is **not** permitted				

Formatted: Font: 12 pt, Font color: Auto
Formatted: Font: 12 pt, Not Bold, Font color: Auto
Formatted: Font: 12 pt, Font color: Auto
Formatted: Keep with next, Keep lines together
Formatted: Font: 12 pt, Font color: Auto
Formatted: Keep with next, Keep lines together
Formatted Table
Formatted: Centered, Keep with next, Keep lines together
Formatted: Keep with next, Keep lines together
Formatted: Keep with next, Keep lines together
Formatted: Centered, Keep with next, Keep lines together
Formatted: Keep with next, Keep lines together
Formatted: Centered, Keep with next, Keep lines together
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted Table
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Keep with next, Keep lines together
Formatted ...
Formatted: Font: Bold, Underline

DRAFT

DRAFT

7.2.2: Awning & Canopy Sign

Description

This Sign type consists of one or more faces, and is integrated within or part of an Awning or Canopy extending over a principal entrance and/or first floor windows on a Primary or Secondary Frontage, or spanning across an individual storefront or an entire building façade.

Specifications

Location
Only Awnings and Canopies on ground floor doors or windows may contain signs.

Quantity (max)
- 1 per Awning
- 3 per Canopy

Area, Lettering (max)
- 75% of the area of the Valance or Canopy face
- 25% of the area of the sloping plane of an Awning

Height, Lettering (min/max)
- 5-in min; 10-in max on the Valance, or 18-in max on sloping plane of an Awning
- 24" max. on a Canopy

Miscellaneous

Canopy Signs may be placed on the face and sides of the Canopy, or extend above or below the Canopy face provided 8-ft min. clear height above the sidewalk is maintained.

Awning Signs may only be placed on the Valance or sloping plane of the Awning, not both.

Awning Signs shall not be internally illuminated or backlit. Canopy Signs may only be backlit.

Awning or Canopy Signs in a Residential district shall not be illuminated.

Any encroachment into or over the public right-of-way must also be approved by the Dept. of Public Works and/or City Council as may be applicable.

Formatted Table
Formatted Table
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri), 11 pt
Formatted: List Paragraph, Indent: Left: 0", Hanging: 0.23", Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"
Formatted: Font: +Body (Calibri)
Formatted: Font: +Body (Calibri), 11 pt
Formatted: Font: +Body (Calibri)
Formatted Table
Formatted: Font: +Body (Calibri), 11 pt
Formatted: List Paragraph, Indent: Left: 0", Hanging: 0.23", Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"
Formatted: Font: +Body (Calibri)
Formatted Table
Formatted Table

7.2.3: Band Sign

Description

This Sign type consists of a single face, and is placed within a Sign Band that is architecturally integrated into the overall design of the building façade over a principal entrance and spanning across an individual storefront or the entire façade on a Primary Frontage.

Specifications

Quantity (max)	1 Band Sign per street-level storefront
Width, Sign (max)	Length of the street-level storefront frontage
Height, Sign (max)	3-ft
Height, Overall (max)	the lesser of the floor level of the second floor or 18-ft above the finished sidewalk.
Depth/Projection, lettering (max)	7-in from the face of the Sign Band
Area, Sign (max)	75% of that portion of the Sign Band associated with the street-level use

Formatted Table

Miscellaneous

Band Signs shall include only characters, background, lighting, and an optional logo.

If illuminated, Band Signs may only be externally illuminated or backlit.

DRAFT

7.2.4: Blade Sign

Description

This Sign type consists of 1-2 faces, and projects perpendicular from the Building facade on a Primary or Secondary Frontage, or elevation where street frontage is not available.

Specifications

Formatted Table

Location (max)	within 4-feet of a principal entrance.
Quantity (max)	1 per ground floor tenant
Width, Sign (max)	3-ft
Height, Sign (max)	3-ft
Depth, Sign (max)	6-in
Offset from Building (min/max)	6-in min and 12-in max from the facade
Projection (max)	4-ft from the facade
Area, Sign (max)	9 sqft
Height, Clear (min)	8-ft min. above finished sidewalk (the lowest portion of the overhanging sign and/or bracket)
Height, Overall (max)	The lesser of the floor level of the second floor or 18-ft above the finished sidewalk.

Miscellaneous

The bracket must be an integral part of the Sign design.

A Blade Sign erected on a building that adjoins the intersection of 2 streets may intersect at a 45 degree angle to the corner of the building.

A Blade Sign may be attached to the face or underside of a canopy

If illuminated, Blade Signs shall only be externally illuminated.

Blade Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

Any encroachment into or over the public right-of-way must also be approved by the Dept. of Public Works and/or City Council as may be applicable.

7.2.5: Directory Sign

Description

This Sign type has a single face and consists of either a panel or individual letters applied directly to a building wall, typically listing the names of building tenants.

Specifications

Location (max)	within 4-feet of a principal entrance.
Quantity (max)	1 per principal entrance
Width (max)	18-inches
Height (max)	36-inches
Depth/Projection (max)	3-inches from the facade

Miscellaneous

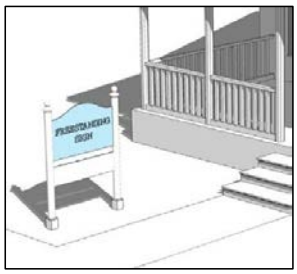
If illuminated, Directory Signs may only be backlit.

Directory Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

Formatted Table

DRAFT

7.2.6: Freestanding Sign



Description

This Sign type consists of 1 or 2 faces, is fully detached from a Building, and placed in a front yard with external support consisting of 1-2 posts.

Specifications

Quantity (max)	1 per primary street frontage
Width (max)	8-ft (not including supports)
Height	10-ft (not including supports)
Depth (face-to-face) (max)	1-ft
Sign Area (max)	60 sf. (not including supports) or 0.5 sf per linear foot of street facing building frontage whichever is less.
Setback (min)	The lesser of 3-ft from the front properly line or in-line with the building façade, and 5-ft from any side properly line
Height, Overall (max)	14-ft above the finished grade (including supports).

Formatted Table

Miscellaneous

No part of a Freestanding Sign may encroach or overhang upon a public right-of-way, clear sight triangle, driveway, parking area, or walkway.

Freestanding Signs associated with a Fuel Service Station may include electronic changeable copy only for the display of numerals.

Freestanding Signs may only be internally or externally illuminated or backlit.

DRAFT

7.2.7: Freestanding Yard Sign

Description

This Sign type consists of 1 or 2 faces, is fully detached from a Building, and placed in a front yard with external support consisting of 1-2 posts.

Specifications

Location	primary street frontage
Quantity (max)	1 per lot.
Width (max)	6-ft (not including supports)
Height	4-ft (not including supports)
Depth (face-to-face) (max)	1-ft
Area (max)	20 sf (not including supports)
Setback (min)	The lesser of 3-ft from the front properly line or in line with the building façade, and 5-ft from any side properly line
Height, Overall (max)	6-ft above the finished grade (including supports).

Formatted Table

Miscellaneous

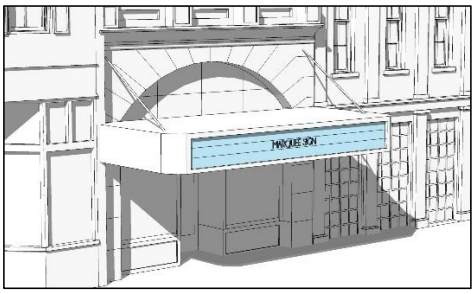
No part of a Freestanding Yard Sign may encroach or overhang upon a public right-of-way, clear sight triangle, driveway, parking area, or walkway.

Freestanding Yard Signs may only be externally illuminated.

Freestanding Yard Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

DRAFT

7.2.8: Marquee



Formatted Table

Description

This Sign type consists of 1-3 faces on an iconic structural feature of a Building that projects perpendicular from the façade over a principal entrance.

Specifications

Quantity (max)	1 per primary street frontage.
Width (max)	Width of the street-level frontage associated with the principal entrance
Projection (min/max)	6-ft min.; 10-ft max. from the facade
Setback (min)	No closer than 3-ft from the back of the curb
Area, Sign (max)	75% of any face of the Marquee
Height, Clear (min)	10-ft above the finished sidewalk
Height, Overall (max)	The top of the Marquee shall be no more than the lesser of the floor level of third Story or 35-ft above the finished sidewalk

Formatted Table

Miscellaneous

Marquees shall be allowed only for the following uses: Cinemas, Conference/ Convention Centers, Performing Arts Centers, and Recreation Facility - Indoor.

A Marquee erected on a Building that adjoins the intersection of 2 streets may intersect at a 45 degree angle to the corner of the Building.

Marquees shall be cantilevered or supported from above. Columns or Posts extending to the ground are prohibited.

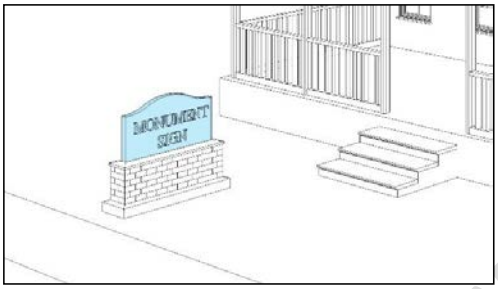
Marquees may be illuminated internally and directly, and may include manual or electronic changeable message. Marquees may include intermittent blinking and flashing lamps and borders.

Any encroachment into or over the public right-of-way must also be approved by the Dept. of Public Works and/or City Council as may be applicable.

DRAFT

DRAFT

7.2.9: Monument Sign



Description

This Sign type consists of 1-2 faces, is placed in a front yard fully detached from a Building, and is supported along the entire length of its base.

Specifications

Quantity	1 per primary street frontage.
Depth (face-to-face) (max)	2.5-ft
Setback (min)	• The lesser of 3-ft from the front properly line or in line with the building façade. • 5-ft from any side properly line.
Area (max)	60 sf (not including supports) or 0.5 sf per linear foot of street facing building frontage whichever is less.
Height, Overall (max)	6-ft from the finished grade

Miscellaneous

No part of a Monument Sign may encroach upon a public right-of-way, clear sight triangle, driveway, parking area, or walkway.

If illuminated, a Monument Sign may only be internally or externally illuminated or backlit.

Monument Signs in a Residential or RCO district shall not be illuminated.

A Monument Sign associated with a public or civic use may include manual or electronic changeable message.

Formatted Table

Formatted Table

Formatted: Font: +Body (Calibri), 11 pt

Formatted: List Paragraph, Indent: Left: 0", Hanging: 0.17", Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

DRAFT

DRAFT

7.2.11: Outdoor Display Case

Description

This Sign type has a single face and consists of a metal or wood framed cabinet mounted onto a building facade a Primary or Secondary Frontage with a transparent window and a lockable opening allowing the contents, such as menus or posters, to be kept current.

Specifications

Quantity (max)	1 per tenant*
Width(max)	3-ft
Height (max)	4-ft
Area (max)	6-sf*
Depth/Projection (max)	3-in from the Facade

* Cinemas, Performing Arts Centers, and Performing Arts Studios may have up to 4 Outdoor Display Cases per street frontage, each not exceeding 12-sqft in area, not to exceed fifteen (15%) per cent of the area of the Façade associated with the tenant.

Miscellaneous

Outdoor Display Cases may only be illuminated from inside the display case, and shall not include electronic changeable messages.

Formatted Table

DRAFT

7.2.12: Projecting Sign

Description

This Sign type consists of 2 faces on an iconic structural feature of a Building that projects perpendicular from the Façade.

Specifications

Quantity (max)	1 per Primary street Frontage
Width, Sign (max)	4-ft
Height, Sign (max)	10-ft
Depth, Sign (max)	6-in
Offset from Building (min & max)	6-in min and 12-in max from the Facade
Projection (max)	5-ft from the Façade (incl brackets)
Area, Sign (max)	40 sqft
Height, Clear (min)	the greater of the floor level of second Story or 15-ft above finished sidewalk
Height, Overall (max)	the lesser of the floor level of third Story or 35-ft above the finished sidewalk

Formatted Table

Miscellaneous

The bracket must be an integral part of the Sign design.

A Projecting Sign erected on a building that adjoins the intersection of 2 streets may intersect at a 45 degree angle to the corner of the building.

A Projecting Sign shall be cantilevered or supported from above. Columns or Posts extending to the ground are prohibited.

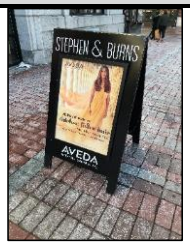
Formatted Table

A Projecting Sign may be illuminated externally, internally, and directly.

Any encroachment into or over the public right-of-way must also be approved by the Dept. of Public Works and/or City Council as may be applicable.

DRAFT

7.2.13: Sandwich Board



Description

This Sign type is a two-sided, portable sign that is constructed in the form of an "A" or similar tent-like shape, or attached to a heavy base in the form of an inverted "T".

Specifications

Quantity (max)	1 per ground floor tenant; and 1 per 4 upper story or below grade tenants
Area (max)	8 sf
Height (max)	4-ft above the finished grade; 3-ft if placed within a clear sight triangle
Width (max)	3-ft
Location	• 15-ft max. from a principal entrance • no closer than 10-ft from a street intersection or crosswalk • no closer than 12-ft from another Sandwich Board

Miscellaneous

A Sandwich Board shall not interfere with ingress and egress points and the flow of pedestrian traffic, and a minimum of 5-feet of sidewalk clearance must be maintained at all times.

A Sandwich Board shall only be displayed during business hours, and must be taken indoors when the business is closed.

A Sandwich Board must be freestanding, and shall not be attached to the ground or any other structure or object.

A Sandwich Board shall not be illuminated.

A Sandwich Board shall be constructed of durable, weather resistant materials and finish, and sufficiently weighted to the ground to prevent blow-down. During high wind events all Sandwich Boards shall be taken indoors.

The requirements of this Sign Type do not apply to Sandwich Boards placed within the public right-of-way which must be approved by the Dept. of Public Works or the Church Street Marketplace Commission as may be applicable.

Formatted Table

Formatted: Normal, No bullets or numbering

Formatted: Font: +Body (Calibri), 11 pt

Formatted: Font: +Body (Calibri), 11 pt

Formatted: List Paragraph, Indent: Left: -0.01", Hanging: 0.19", Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: +Body (Calibri), 11 pt

Formatted: Font: +Body (Calibri), 11 pt

7.2.14: Wall Sign

Description

This Sign type has a single face and is attached, painted, or otherwise mounted parallel to a building or structure wall on a Primary or Secondary Frontage or elevation where no street Frontage is available.

Specifications

Height (max)	No higher than the floor level of the second story.
Area (max)	• 2 sf per linear foot of street frontage, or elevation where no street frontage is available, associated with a first floor tenant. • 10 sf for a second floor tenant with only a ground floor entryway. • In no case may the total area of all Wall Signs exceed the lesser of two hundred (200) square feet or fifteen (15%) per cent of the area of the façade or elevation to which they are attached. • A Wall Sign in any residential district shall not exceed 6-sf in area. • A Wall Sign in a RCO-R/G district shall not exceed 20-sf in area.
Depth/Projection (max)	12-in max. from the facade

Miscellaneous

A Wall Sign may not be applied on or obscure architectural features such as: windows, doors (other than egress-only), pilasters, cornices, window, door or other building trim, feature bands, and other recessed or projecting features.

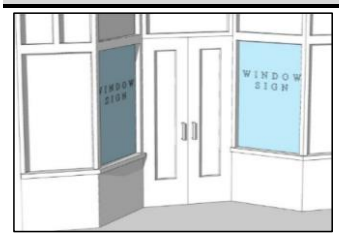
A Wall Sign may not be painted on walls made of previously unpainted stone or brick.

If illuminated, Wall Signs may be externally illuminated or backlit.

Formatted Table

Formatted Table

7.2.15: Window Sign



Description

This Sign type has a single face, and is affixed directly onto or behind the glazing of a window and/or door on a Primary or Secondary Frontage, or elevation where no Frontage is available.

Specifications

Quantity (max)	1 per first or second floor window and/or ground floor entry.
Area (max)	• 20% of the area of any individual window located between 4 and 7 feet above the adjacent sidewalk or finished grade. • total area may not exceed 30% of the total window area of all windows with Signs ~~combined~~ per façade or elevation.
Height, Lettering (max)	8-inches

Miscellaneous

Characters and logos shall be placed directly on the glazing or placed no more than 12" behind the glazing. Items placed more than 12" from the glazing shall not be considered a Window Sign.

Window Signs shall not be illuminated, however the use of neon as part of the Sign design is permitted.

Window Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

Window area calculations shall include only the glazing.

Window Signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays.

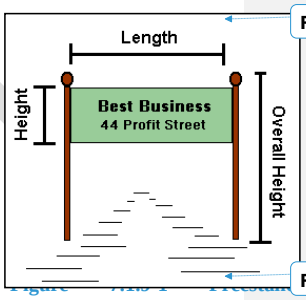
Formatted Table

Formatted: Indent: Hanging: 0.19"

DRAFT

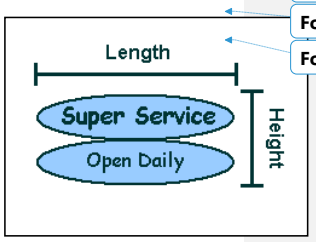
~~the~~

~~(a) Freestanding Signs:~~
~~The height of freestanding signs shall be measured from the official street grade to the top of the light standard or supporting standard, whichever is higher. Only one freestanding sign is permitted for each separate street frontage devoted to an establishment. A kiosk sign is considered a freestanding sign. A sign that stands without supporting elements, such as "sandwich sign" or interchangeable message board on wheels, is also considered a freestanding sign. *(See Figure 7.1.9-1)*~~



~~(b) Kiosk Signs:~~
~~**Kiosks erected on city sidewalks shall not occupy more than twenty-five per cent (25%) of the total width of the sidewalk measured at the location of the kiosk. The maximum height of a kiosk shall not exceed nine (9) feet. Kiosks shall not unreasonably interfere with the normal flow of pedestrian traffic. A bus shelter may be used as a kiosk. Kiosks are to be distinguished from "free-standing signs" which are governed by Section 21-5 of Chapter 21 of the Burlington Code of Ordinances.**~~

~~(c) Parallel Signs:~~
~~Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted, and shall not project more than eighteen (18) inches from the surface thereof. *(See Figure 7.1.9-2)*~~



Formatted: Normal

Formatted: Left, Indent: Left: 0", Space After: 0 pt

Formatted: Normal

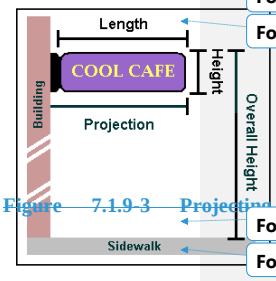
Formatted: Left, Indent: Left: 0", Space After: 0 pt

Formatted: Normal

Formatted: Left, Indent: Left: 0", Space After: 0 pt

DRAFT

~~(d) Projecting Signs:~~
~~The content of projecting signs must be affixed flat to such canopy, marquee, or awning and is limited to announcing the name of the establishment or any on-premises show or event. *(See Figure 7.1.9-3)*~~



~~Figure 7.1.9-3 Projecting~~

~~(e) Roof Signs:~~
~~No sign or advertising device attached to a building shall project above the roof or parapet line nor more than 12 inches out from the wall to which it is attached.~~

~~Sec. 7.1.10 Location and Area~~
~~(a) Obstruction:~~
~~No sign shall be placed in such a way that it prevents clear and unobstructed view of a highway or official sign or of approaching or merging traffic.~~
~~(b) Setbacks:~~
~~No portion of any freestanding sign shall be located any closer to any property line than fifty per cent (50%) of the required yard setback for the district in which it is located.~~

Formatted: Normal
Formatted: Left, Indent: Left: 0", Space After: 0 pt
Formatted: Normal
Formatted: Left, Indent: Left: 0", Space After: 0 pt
Formatted: Normal
Formatted: Left, Indent: Left: 0", Space After: 0 pt
Formatted: Normal
Formatted: Left, Indent: Left: 0", Space After: 0 pt

DRAFT

PART 2: *DISTRICT REGULATIONS*

Formatted: Font: Italic

Sec. 7.2.1 Regulation by District

Signs shall be permitted in each district as specified in Table 7.2.1-1 below and as further regulated by the provisions of this Part. Where other provisions in this Article are more restrictive than Table 7.2.1-1, the more restrictive provisions shall apply.

Table 7.2.1-1: Sign Regulation Summary

		Zoning District[4]			
Sign Type	**Dimensional Requirements**	**All RCO and Residential Districts**	**All Mixed Use and Institutional Districts**	**All Enterprise Districts**	**(Reserved)**
Parallel	Size	20 sf	2 sf[1]	2 sf[1]	-
	Maximum Height	14 ft[2]	14 ft[2]	14 ft[2]	-
	Illumination	No	Yes	Yes	-
Projecting					
	Size	4 sf	4 sf	4 sf	-
	Maximum Height	12 ft[2]	14 ft	14 ft	-
	Illumination	No	Yes	Yes	-
Freestanding	Size	20 sf	½ sf[1]	1 sf[1]	-
	Maximum Height	6 ft	14 ft	6 ft	-
	Illumination	No	Yes[3]	Yes	-

1. Size is determined per each linear foot of building frontage allocated to the establishment
2. Or ceiling height of the first floor, whichever is less, except in D, D-T, E-LM and NMU-NAC where the sign may be above 14 feet as per Sec 7.2.3(a)4, Sec. 7.2.4 (e)2D, or Sec. 7.2.4(e)6C.
3. Illuminated freestanding signs are not permitted in NMU district.
4. No signs shall be permitted in the Urban Reserve District.

Sec. 7.2.2 Signs in Residential and RCO Districts

(a) Permitted Signs:

In addition to signs authorized under Sec. 7.1.3 and Table 7.2.1-1, only t<u>T</u>he following on-premise signs shall be permitted in any Residential and RCO districts in addition to signs authorized under Sec. 7.1.3.

(a) Restrictions on Residential District and RCO District Signs:

- In all residential districts, only one (1) sign per property shall be allowed.
- In all residential and RCO districts, no sign shall be located within three (3) feet of any sidewalk or its vertical plane, except where such sign is attached to the face of the building at least eight (8) feet above the sidewalk and protruding no more than six (6) inches from the face of the building.

(b) Parallel Signs:

Parallel signs are permitted provided:

1. One (1) sign not exceeding twenty (20) square feet.
2. Sign not to exceed fourteen (14) feet in height or the ceiling height of the first floor, whichever is less.

1. Organization Signs. Parallel, projecting and freestanding signs representing governmental educational or religious organizations provided that the total area of all signs for any individual use shall not exceed twenty (20) square feet.
2. Agricultural Signs. One (1) sign advertising for sale agricultural produce raised on the premises, not to exceed two (2) square feet in area.
3. Non-residential Building Sign. One sign identifying a permitted non-residential building, use, or activity, provided the area of such sign shall not exceed twenty (20) square feet.

(c) Freestanding Signs:

Freestanding signs are permitted provided:

1. One (1) sign for each separate street frontage provided that it does not exceed twenty (20) square feet.
2. Sign not to exceed six (6) feet in height.

(d) Projecting Signs:

Projecting signs are permitted provided:

1. One (1) sign not exceeding four (4) square feet.
2. Sign not to exceed twelve (12) feet in height or the ceiling height of the first floor, whichever is less.

(b) Restrictions on Residential District Signs:

The following restrictions regarding type and placement of signs pertain to all signs in all Residential and RCO districts:

1. No sign shall be located within three (3) feet of any sidewalk or its vertical plane, except where such sign is attached to the face of the building at least eight (8) feet above the sidewalk and protruding no more than six (6) inches from the face of the building.

Formatted: Font: (Default) Arial, Bold

Formatted: Indent: Left: 0.5", Hanging: 0.31"

Formatted: Normal, Space After: 6 pt

Formatted: Normal, Indent: Left: 0.5", Hanging: 0.31"

Formatted: Normal

Formatted: Normal, Indent: Left: 0.13", Hanging: 0.38", Space After: 6 pt

Formatted: Normal, Indent: Left: 0.44", Hanging: 0.38"

DRAFT

Sec. 7.2.3 Signs in Mixed Use Districts

Except as provided pursuant to Sec 7.2.4 below pertaining to signs on the Church Street Marketplace, the following on-premise signs may be permitted in any mixed use zoning district in addition to signs authorized under Sec. 7.1.3 and Table 7.2.1-1:

(a) Parallel Signs:

Parallel signs are permitted provided:

1. The total area of all parallel signs for each establishment shall not exceed two (2) square feet for each linear foot of frontage devoted to such establishment. If such establishment does not occupy any floor area on the ground level, other than an entryway, the maximum permitted sign area shall not exceed one (1) square foot for each linear foot of frontage devoted to such establishment.
2. Signs painted on or affixed to the inside or outside of windows shall be included in the computation under (1) above and (2) below, only if the combined area exceeds twenty-five (25) per cent of the area of the window which they occupy.
3. In no case, however, may the total area of all parallel signs exceed the lesser of two hundred (200) square feet or fifteen (15%) per cent of the area of the facade to which they are attached for the length of frontage devoted to such establishment.
4. A sign above 14 feet may be allowed where the first floor of the building has a floor-to-ceiling height in excess of 14 feet, subject to the following:
   A. In no instance shall a sign be allowed above the floor level of a second story, or the cornice line of a structure whichever is lower;
   B. Such signs shall be architecturally compatible with the design of the structure; and,
   C. No such sign can be internally illuminated.

(b) Freestanding Signs:

Freestanding signs are permitted provided:

1. Only one such sign shall be permitted for each separate street frontage devoted to an establishment;
2. The area of any such sign shall not exceed one half (1/2) square foot per one (1) linear foot of frontage or a total of sixty (60) square feet, which ever is less; and,
3. The height of any freestanding sign shall not exceed fourteen (14) feet.

(c) Projecting Signs:

Projecting signs are permitted provided the sign:

1. Does not visually interfere with the view to and from adjacent properties;
2. Does not extend above any portion of the roof of the building to which such sign is affixed;

3. Has its lowest edge at least eight (8) feet above any pedestrian way; and,

4. Is vertically aligned.

(d) Signs connected to a canopy, awning, or marquee:

Signs connected to a canopy, awning, or marquee are considered projecting signs, and as such are governed by (c) above and the following:

1. All lettering and artwork is fixed flat to such canopy, marquee or awning.; and,

2. All lettering is limited to the name of the establishment and announcing any on-premise show or event where applicable.

Sec. 7.2.4 Sign Regulations for Church Street Marketplace

The regulations of this section shall govern all signs located in the Church Street Marketplace District (hereinafter "district") as defined by Sec. 321 of the City Charter.

(a) Marketplace Commission Approval:

Prior to review and approval of an application under this ordinance for a sign, all signs, banners, kiosks, and similar advertising features must be reviewed by and consented to in writing by the Church Street Marketplace District Commission, which may make use of the Church Street Marketplace Design Guidelines in such reviews.

(b) Exemptions:

Signs at the following addresses shall be exempted from the provisions of this subpart. Such signs may be repaired or replaced so long as the repair or replacement is identical to the sign existing at the time of this ordinance. Where such repair or placement changes the appearance of the sign, the sign must meet all requirements of this subpart.

1. 34 Church Street;

2. 37 Church Street;

3. 75 Church Street (Bank Street facade);

4. 78 Church Street;

5. 107 Church Street; and,

6. 115 Church Street.

(c) Permitted Signs and Restrictions:

Unless otherwise noted, the following on-premise signs shall be permitted:

1. Parallel Signs:

A. The total area of all parallel signs for each establishment shall not exceed one and one-half (1.5) square foot of length of that portion of such wall devoted to such establishment.

DRAFT

B. If such establishment does not occupy any floor area of the ground level of the building, other than an entryway, the maximum permitted sign area shall not exceed ten (10) square feet.

C. Signs painted on or affixed to the inside or outside of windows shall be included in the computation of subsections (A) and (B) above, if their combined area exceeds thirty (30) per cent of the area of the window they occupy.

D. No signs, except window signs, shall be placed more than one (1) foot above the finish floor level of the second floor of a multi-story building to which they are attached. In no case shall such signs be placed more than fourteen (14) feet above the lowest point where the sidewalk meets the building line on the façade to which the sign is attached or, where there is a public canopy structure, above the top edge of the glass roof.

E. No parallel sign shall project more than twelve (12) inches from the face of the wall to which it is attached, except as otherwise provided in subsection (3)(b) below.

2. Projecting signs:

A. There shall be no more than one (1) such sign per establishment.

B. The total area of such a projecting sign shall not exceed eight (8) square feet.

C. The maximum projection of such sign beyond the building line shall not exceed four (4) feet.

D. The maximum height to the top of such a sign, as measured from the lowest sidewalk elevation at the building line on the façade to which the sign is attached, shall not exceed eighteen (18) feet.

E. The lower edge of such a sign must be at least seven (7) feet six (6) inches above the sidewalk directly beneath the sign.

F. Three-dimensional signs depicting the goods or services available on the premises are allowed within the limits specified in items (A) through (E) above. The area of the smallest rectangle, which can be drawn encompassing all the parts of the sign, shall measure the area of such signs.

G. Two-dimensional signs shall have both faces parallel, vertical and at right angles to the building line.

3. Canopies, marquees and awnings:

A. Canopies, marquees, and awnings attached to buildings are permitted subject to development review board review.

B. When a sign is affixed to such a canopy, marquee or awning, it shall satisfy the following requirements:

i. If placed parallel to the building facade, its area shall be deducted from the maximum allowable area of parallel signs; and,

ii. If at right angles, it shall be in substitution of any other projecting sign and shall meet the requirements of subsection (2) A, B, and D through G above for projecting signs.

4. Pedestrian Canopy Signs/Floor Mosaic Signs.

A. Permanent verbal and nonverbal signs, satisfying the conditions of (3) above for canopies, marquees and awnings, may be attached to the Church Street pedestrian canopy provided they also satisfy the following requirements:

i. Such signs may be attached only to front or back columns or to cross members below the glass;

ii. The owner of such a sign must bear the full cost of attaching the sign to the canopy structure and must also fully restore the galvanized and painted waterproofing membranes on the canopy, which may be damaged during attachment or removal of the sign;

iii. The maximum height of such sign measured from the base of the sidewalk directly below shall be nine (9) feet; and,

iv. No person shall have more than two (2) signs located in or attached to any part of the public right-of-way or public canopy system.

B. Mosaic signs are permitted in the floor of building entries and may fill the entire entry. Such signs may be placed within the sidewalk directly in front of building entries, subject to the following conditions:

i. The materials used in creating such a sign must be durable, nonskid paving materials, laid in a manner that is compatible with the existing sidewalk paving and creating no discontinuities in sidewalk surface or changes in grade;

ii. The width of such a sidewalk sign shall be no greater than the width of the building entry and the depth shall be no more than seven (7) feet from the building line; and,

iii. The owner must bear the full cost of removing the existing sidewalk pavement, assume all liabilities for structural problems in the sidewalk or accidents which may occur due to such re-paving, and restore the original pavement should any problem arise.

5. Kiosks.

Permanent kiosks are permitted provided that the information displayed thereon shall serve a public purpose such as the names and locations of establishments on the block in which the kiosk is located or on the Church Street Marketplace as a whole, or provision of space for changing information such as posters and announcements; and provided that such kiosks meet the following location and dimensional requirements:

A. Such kiosk shall not impede the flow of pedestrian traffic;

B. Such kiosk shall not interfere with any publicly funded amenity;

C. The maximum area of the projected plan of such a kiosk shall be fifteen (15) square feet;

D. The maximum height of such kiosk shall be ten (10) feet; and,

E. Two-dimensional signs shall have both faces parallel, vertical and at right angles to the building line.

6. Other restrictions on type and placement of signs:

A. Freestanding on-premises signs are not permitted, except as otherwise provided below.

B. Internally illuminated signs are prohibited. Signs inside the building may be illuminated in any manner by a steady source of light. Signs external to the building envelope may be illuminated by a steady source of light external to the sign, except that linear outline neon signs with no background are permitted.

C. Fabric banners or streamers may be mounted on the façade of a building with the written approval of the city engineer, who must be satisfied as to the structural soundness of the mounting device to withstand wind loads. All liability in case of structural failure, however, shall remain the sole responsibility of the owner. The lower edge of such a banner or streamer must be at least fourteen (14) feet above the sidewalk directly beneath the sign. The maximum projection of such banner or streamer beyond the building line shall not exceed six (6) feet.

D. Temporary flags or banners may be attached to those light poles that have been structurally designed to receive them.

Sec. 7.2.5 Signs in Enterprise Districts

Signs in the Enterprise Zoning Districts shall be subject to the restrictions in Sec. 7.2.3 except as modified below:

(a) The total area of any parallel sign shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall devoted to such establishment, or two hundred (200) square feet, whichever is less;

(b) No parallel sign shall be painted on or affixed to the outside windows;

(c) Illuminated signs are prohibited;

(d) Freestanding signs shall not exceed six (6) feet in height;

(e) The area of any freestanding sign shall not exceed one half (1/2) square foot per one (1) linear foot of frontage or a total of sixty (60) square feet, which ever is less; and,

~~(f) No sign shall be located within three (3) feet of any sidewalk or its vertical plane, except where such sign is attached to the face of the building at least eight (8) feet above the sidewalk and is protruding no more than six (6) inches from the face of the building.~~

~~Sec. 7.2.6 Signs in the Institutional District~~

~~Signs in the Institutional Zoning District shall be subject to the restrictions in Sec. 7.2.3. Signs in the district which exceed these restrictions shall be permitted provided such sign is in accordance with a signage plan submitted by the institution and approved by the DRB.~~

PART 3: MASTER SIGN PLANS

Sec. 7.3.1 Intent

In order to provide for a higher degree of design quality, flexibility, compatibility, and creativity in larger buildings and building complexes with multiple tenants or uses ~~owners~~, ~~sign~~Signs shall be allowed as specified in a ~~sign~~Master Sign Plan ~~master plan~~ for the property~~, as follows:~~

Sec. 7.3.2 Applicability

Within any Mixed Use, Enterprise, or Institutional zoning district, all ~~sign~~Signs located on a site, building, or a complex of buildings ~~located on a single lot~~ with three or more owners, tenants, or uses ~~owners~~ located on a single lot or adjacent lots under common ownership may be granted a ~~zoning permit if the signs comply with a sign~~ Master Sign Plan ~~master plan~~ submitted by the building owner and reviewed and approved by the DRB under the provisions of ~~Sec. 7.3.4 below~~this Part ~~and Article 6~~. Signs located on City property erected by or at the direction of the City or any of its departments in the performance of their public duty or responsibility may also seek approval under the provisions of this Part.

Where a Master Sign Plan includes sufficient detail regarding the location, type, lighting, and other requirements for individual Signs, those Signs may be approved as part of the Master Sign Plan without the necessity for an individual permit(s). Otherwise the installation of individual Signs proposed pursuant to, and in compliance with, an approved Master Sign Plan shall receive administrative review and approval pursuant to the procedural requirements of Sec. 3.2.7.

Sec. 7.3.3 Submission Requirements

A ~~sign~~ Master Sign Plan ~~master plan~~ shall be a comprehensive plan of all planned ~~sign~~Signs to be located on the site(s) and on all facades of the building or building complex.

Information to be included in a ~~sign~~Master Sign Plan ~~master plan~~ shall include, but not be limited to, the following in sufficient detail as necessary to render a decision for the Master Sign Plan and individual Signs as may be applicable:

(a) Total number of ~~sign~~Signs proposed, including any existing ~~sign~~Signs that will remain.

(b) Sketch of ~~sign~~Signs clearly indicating size/dimensions of all ~~sign~~Signs – including height above finished grade, lettering, logos or other graphics, colors, materials, texture.

(c) Types of ~~sign~~Signs – ~~parallel~~see Part 2~~, freestanding, projecting or window~~.

(d) Building elevations/photographs clearly illustrating the placement of ~~sign~~Signs placed on all buildings.

(e) A s~~S~~ite plan indicating the location of all freestanding ~~sign~~Signs, buildings, and structures.

(f) Methods of illumination.

Sec. 7.3.4 Flexibility from Existing Standards

(a) The Master Sign Plan must establish standards of consistency applicable to all Signs to be provided on the subject property with regard to:

- Colors;
- Letter/graphics style;
- Location and Sign Type;
- Materials;
- Methods of illumination; and/or
- Maximum dimensions and proportion.

(b) A Master Sign Plan shall be consistent with the intent and purpose of the form or zoning district within which the site is located and the intent of this Article, and be compatible with the site and character of the surrounding area.

(c) All of the Signs in a Master Sign Plan shall be designed and organized in a manner consistent and complementary with the overall architecture of the Building, and employ complimentary materials, colors, design, and scale of letters while still providing diversity and differentiation among individual tenants.

(d) ~~The sign master plan shall be compatible with the site and buildings and character of the surrounding area pursuant to the provisions of Article 6. While i~~Individual ~~sign~~Signs in ~~the~~ an approved Master Sign Plan ~~plan~~ may vary from the locational ~~restrictions~~ standards of ~~Sections 7.2.3, 7.2.4, 7.2.5 and 7.2.6 in the type~~Part 2 of this Article pertaining to each Sign Type. ~~and placement of signs on a structure or~~

Formatted

Formatted

Formatted: Justified, Indent: Left: 0.25", Hanging: 0.25", Space After: 0 pt, Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.44" + Tab after: 0.94" + Indent at: 0.94", Suppress line numbers, Don't hyphenate, Tab stops: 0.5", List tab + Not at 0.94"

Formatted

Formatted

Formatted: Indent: Left: 0.25", Hanging: 0.25", Numbered + Level: 1 + Numbering Style: a, b, c, … + Start at: 1 + Alignment: Left + Aligned at: 0.44" + Tab after: 0.94" + Indent at: 0.94", Don't keep with next, Don't keep lines together

DRAFT

~~lot,~~However, no individual ~~sign~~Sign may exceed the ~~size~~ maximum area limitations ~~as pe~~for the specified Sign Type, or conflict with the limitations and prohibitions of Sec. 7.1.4 ~~r Sec. 7.2.3(a)(3)~~.

(e) Except for such variations approved by the ~~development review board~~DRB by acceptance of a Master Sign Plan ~~master sign plan~~ pursuant to this Article, all other requirements, permits, and restrictions regarding ~~sign~~Signs shall remain in effect.

Sec. 7.3.5 On the Record Review

Pursuant to the authority of 24 V.S.A. §4471(b), any permit request for a Master ~~Sign~~Sign Plan approval by the DRB will be on the record, so that any appeal is not a de novo review, in accordance with the Vermont Rules of Civil Procedure.

Sec. 13.1.2 Definitions.

Electronic Message Display: Any element of a Sign or Sign structure capable of displaying words, symbols, figures, images, or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink," or any other method or technology that allows a Sign to present a series of images, messages, or displays. This does not include Signs with manually-changeable copy.~~A sign in which one or more illuminated characters in a display may be changed by electronic means.~~

Nit: a photometric unit of measurement referring to luminance (the visible-light intensity or brightness given off by a surface or object). One nit is equivalent to one candela per square meter(cd/m^2).

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, images, trade names, and trade marks by which anything is made known, ~~such as~~that are used to identify, ~~or~~ advertise, or attract attention to an individual, ~~a~~ firm, ~~an~~ association, ~~a~~ corporation, ~~a~~ profession, ~~a~~ business, place, event, ~~or a~~ commodity, or product , ~~street~~ thoroughfare or right-of-way ~~and used to attract attention~~. ~~(See Article 7)~~

Flag: A typically rectangular or triangular piece of fabric or other similar non-rigid material, with or without characters, letters, illustration, or ornamentation, supported or anchored along one edge or two corners. If any side is more than three times as long as any other side the flag is considered a banner.

Banner: A typically rectangular piece of fabric or other similar non-rigid material, and with or without characters, letters, illustration, or ornamentation, supported or anchored at its four corners, top and bottom, or along top with weighted bottom.

Formatted: Justified, Indent: Left: 0.25", Suppress line numbers, Don't hyphenate

Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Superscript
Formatted: Font: Not Bold
Formatted: Left, Indent: Left: 0.25"
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Font: Bold

(a) Business Sign: An on-premises sign that directs attention to any primary business, commodity, service, industry or other activity, which is sold, offered or conducted on the premises.

(a) **Directly Illuminated Sign:** A sign, which emits light from a source within such sign directly or through transparent or translucent material, including but not, limited to, neon and exposed lamp signs.

(b) **Flashing Sign:** An illuminated sign on which an artificial light is in a non-stationary position or is not constant in intensity or color at all times during use.

(c) **Freestanding Sign:** A self-supporting sign resting on the ground or supported by means of poles or standards in the ground. The height of freestanding signs shall be measured from the official street grade to the top of the light standard or supporting standard, whichever is higher. Only one freestanding sign is permitted for each separate street frontage devoted to an establishment. A sign that stands without supporting elements, such as "sandwich sign" or interchangeable message board on wheels, is considered a freestanding sign.

(d) **Holiday Decorations:** Holiday decorations displayed for and during recognized federal, state, or religious holidays shall be exempted from the provisions of this article except where they interfere with traffic safety or in any way becomes a public safety hazard.

(e) **Indirectly Illuminated Sign:** A sign illuminated from an outside source so shielded that no direct rays are visible elsewhere on the lot. If such shielding device is defective, the sign shall be deemed to be a directly illuminated sign.

(f) **Kiosk:** Any structure erected in a public place with approval of the development review board for the specific purpose of displaying any sign to direct or inform pedestrians.

(g) **Non-complying Signs:** Any sign existing at the time of the passage of this section that does not conform in area, illumination, type, or height with the provisions herein.

(h) **Off-Premise Sign:** A sign which advertises or otherwise directs attention to any commodity or activity sold, offered or conducted elsewhere than on the premises upon which such sign is located.

(i) **Official Sign:** Any sign, including traffic signs and similar regulatory notices, erected by a duly constituted governmental body.

(j) **On-Premise Sign:** A sign directing attention to an activity on the same premise.

(k) **Parallel Sign:** A sign attached, painted, or otherwise mounted parallel to a wall or other vertical building surface. Parallel signs do not extend beyond the edge of any wall or other surface to which they are mounted and do not project more than eighteen (18) inches from the surface thereof.

(l) **Projecting Sign**: Any sign mounted to a wall or other vertical building surface other than a parallel sign. Signs connected to a canopy, awning, or marquee that project more than 18" are considered to be projecting signs. The content must

Formatted: Font: Not Bold

Formatted: Indent: Left: 0", Tab stops: Not at 0.5"

be affixed flat to such canopy, marquee, or awning and is limited to announcing the name of the establishment or any on-premises show or event.

(m) **Roof Sign**: A sign erected on or above the roof or parapet of a building.

(n) **Temporary Sign:** A display, information sign, banner, or other advertising device constructed of cloth, canvas, fabric, wood, or other light material, with or without a structure frame, and intended for a limited period of display.

(o) **Vehicular Sign:** A sign affixed to any vehicle in such a manner that the display of such sign is a primary purpose of the vehicle. Any such sign shall be considered a freestanding sign.

(p) **Window Sign:** A sign affixed to the window or placed within twelve (12) inches of the glass area.

Formatted: Left

DRAFT

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, November 13, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

Draft Minutes

Members Present	B Baker, Y Bradley, A Friend, E Lee, H Roen, J Wallace-Brodeur
Members Absent	A Montroll
Staff Present	M Tuttle, D White, S Draper, B Lowe, W Ward

I. Agenda

Call to Order	Time: 6:33pm
Agenda	Approved As Is

II. Public Forum

Name: Justin Worthley		
Comment: Burton facility at 152 Industrial Parkway is larger than what is needed for Burton functions alone. The company would like to rent the available space to expand into a Burton Headquarters Hub with performing arts, food/beverage, and a skate park. The Burlington zoning ordinance does not allow for this type of expansion in this location. Asks the Commission to consider an amendment to allow for these uses in the ELM on Industrial Parkway.		
Commission Action: Send to staff for a draft zoning amendment recommendation		
Motion by: J Wallace-Brodeur	Second by: A Friend	Vote: Approved Unanimously

III. Report of the Chair

B Baker	• No Report

IV. Report of the Director

D White	• No Report

V. Proposed CDO Amendment: Co-Living

Action: Send to staff for a draft zoning amendment recommendation		
Motion by: E Lee	Second by: Y Bradley	Vote: Approved Unanimously
Type: Discussion	Presented by: E Farrell	
Discussion/Notes: Eric Farrell shared a concept about a "Co-living" building at Cambrian Rise. This housing type emphasizes minimal personal space and maximum common space/shared use to provide a quality, but less expensive housing product. Concept is similar to "Micro-suites" with a private bedroom, bathroom, and small kitchenette. Closest definition would be a boarding house, but those are not permitted in the NAC-Cambrian Rise zoning district. Asks Commission to consider an amendment to allow this type.		

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

VI. Permit Reform

Action: Schedule special meeting devoted to permit reform discussion		
Motion by: A Friend	Second by: E Lee	Vote: Approved Unanimously
Type: Discussion & Presentation	Presented by: D White, B Lowe	
Discussion/Notes: • Purpose of the reform is to re-organize into a "one-stop shop" for permitting to create a more convenient system for the public, improve customer service, consistency, accountability, and increase collaboration. Merge zoning function with trades and inspections into a new department under a single department head. Sets the city up for a change to current permitting process, a new IT system, and a new online process. Also offers opportunity to rethinking planning's role, by forming a new department with CEDO. Intent to physically merge and pursue charger change in 2019, with any reorganization of advisory bodies later as they are more complex. However, powers and duties of Commission that are in statute will not change. Will require continuous collaboration between new departments at a staff and commission level. • Commissioners raised concerns of organizing the roles of advisory bodies later, rather than simultaneously, and feel as though there needs to be a public commission to advise the new permitting and inspections department. B Lowe agrees on the need for clear citizen advisory roles, but dept. structures need to inform how the role of the boards are organized. • Commissioners would like a clearer understanding of the current functions of the departments (including CEDO), the problems identified in the current system, and an explanation of how the reform and reorganization is going to solve those problems.		

VII. 2019 planBTV Update

Action: Deferred to future meeting due to time		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion	Presented by: M Tuttle	
Discussion/Notes:		

VIII. Committee Reports

Executive	Met on 11/9, discussed permit reform effort
Ordinance	No Report
Long Range	No Report

IX. Commissioner Items

Next Meeting	November 27, 2018 @ 6:30pm in Conference Room 12, City Hall

X. Minutes & Communications

Action: Approve Minutes		
Motion by: Y Bradley	Second by: H Roen	Vote: Approved Unanimously
Changes to Minutes: N/A		
Communications Filed: Notice of Public Hearing for the City of Winooski 2018 Master Plan Update		

XI. Adjourn

Adjournment	Time: 8:18pm	
Motion: Y Bradley	Second: A Friend	Vote: Approved Unanimously

DRAFT

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, November 20, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

Draft Minutes

Members Present	A Montroll, B Baker, A Friend, E Lee, H Roen, J Wallace-Brodeur
Members Absent	Y Bradley
Staff Present	M Tuttle, D White, S Draper, B Lowe, W Ward

I. Agenda

Call to Order	Time: 6:33pm
Agenda	Approved As Is

II. Public Forum

Name	Comment	Commission Action?
Celia Daly	Member of the Permit Reform Advisory Committee, wanting to learn more about how the reorganization will be effecting Planning.	

III. Permit Reform

Action: No Action Required		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion	Presented by: D White, B Lowe, W Ward	

Discussion/Notes:

- At the last Planning Commission meeting, commissioners asked staff to present a more detailed explanation of the plan for the permit reform and department reorganization. Specifically, to provide an outline of the problems that the reform is trying to solve, and what is driving this change.
- Primary concerns driving the permit reform is to improve customer service, consistency, accountability, and increase collaboration across departments. The current process is convoluted and difficult for average home owners to navigate from start to finish.
- The new permitting system will create a "one-stop shop" for permitting to create a more convenient system for the public. The reorganization will merge the zoning function with trades and inspections into a new department under a single department head.
- William Ward, the current director of Code Enforcement, has been asked by the Mayor to become the director of the Department of Permitting and Inspections.
- Planning function will merge with CEDO into a new department focused on planning, policy, and other implementation functions.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

Three main concerns were raised by commissioners at the last meeting include:

Digitizing records-

- The City is in the process of starting this work. A formal inventory of the records has been done, and are now waiting for a final approval to start the work.

Keeping the Planning Commission integrated with Zoning-

- Currently, the Planning Commission is the advisory body that develops the ordinance and advises on administration of the ordinance.
- Through internal meeting structures, and job descriptions, the intention is to keep PC central to these processes.

Planning Commission Oversight-

- Commission oversight should remain the same as it is today. The Planning Commission should remain the body for discussion of zoning development and administration.
- Appeals will continue to go to the DRB.
- Additional commissions would create conflict over which commission makes decisions

- Commissioners question the reasoning for separating Planning and Zoning, and creating two new departments instead of other possibilities. There are concerns that separating Planning from Zoning will create more problems, and strain relationships that need to be maintained. It is suggested to make one large department encompassing all the departments under one, to avoid risk of losing the collaboration between the departments.
- A Montroll gives the example from the Regional Planning Commission. There are sub departments under the one commission that work together more efficiently than before being separate. One large department may make more sense than separating two functions that should continue to work together.
- W Ward agrees that would be an interesting concept, but there is a physical constraint for the ability to make one department in one space. The reorganization may make staff collaboration more difficult, but to the primary purpose of the reform, it is about the customer and making the process easier for them. Having all the permitting functions in one building will help achieve that goal.
- B Lowe explains that moving Planning and Zoning will come with risk, but the intention is to mitigate that risk, and the benefits will outweigh those risks. They see and acknowledge those concerns, but think it is possible to build institutional ties to reduce the risks. Making one massive department can lose the core missions to those individual departments.
- Regarding concern for the possible lack of communication between zoning staff and the Planning Commission, if the problem goes beyond a staff level, it would go to the department director, and then to the Planning Commission.
- Currently, the Planning Commission nominates the Zoning Administrative Officer for approval by the City Council. The Mayor nominates a department head for approval by City Council. This could create problems down the road where a Department Head has a Zoning Administrative Officer that is not responsive to the Department Head's requests. So a change to the appointment process feels necessary to avoid future conflict. The Mayor would nominate both the Zoning Administrative Officer and the Department Head for approval by the City Council.
- Currently, Planning and CEDO's relationship is erratic. Depending on who is doing what project, there may or may not be consultation or participation by the other department. The Planning Commissions engagement in policy and planning work that CEDO does is largely non-existent.
- Combining Planning and CEDO will increase the ability for Planning to be involved in the implementation of the City's Land Use and Development plans.

DRAFT

• Planning writes planBTV, but then hands off the baton to other departments and commissions to actually implement the plan, and hope that it is done the way they intend. Currently, Planning does not have very much input on implementation of their plans and policies. • Merging the two departments will substantially expand the ability to do the work of both departments under one, collaboratively. This will also increase Planning Commission involvement, advisement, etc. • Concerns are raised of the funding for Planning if merged with CEDO. Staff does not foresee Planning having issues with funding. It is currently funded by the General Fund, and that will continue to be the case. • Commissioners agree combining Planning and CEDO makes sense, but separating those two from the permitting functions may cause unanticipated problems. • The Commissioners would like to have feedback from the Permit Reform Advisory Committee, either through periodic reports, or through a commissioner joining the committee.

IV. Commissioner Items

Next Meeting	November 27, 2018 @ 6:30pm in Conference Room 12, City Hall
H Roen	Encourages other commissioners to help spread the word about the update to planBTV using tools shared by M Tuttle.

V. Adjourn

Adjournment	Time: 8:15pm
	Adjourned without objection

DRAFT

VERMONT

RECEIVED
NOV 13 2018
DEPARTMENT OF
PLANNING & ZONING

State of Vermont
Development Review & Permitting Services Section
Policy, Planning and Research Bureau
One National Life Drive
Montpelier, VT 05633-5001
http://vtrans.vermont.gov

[phone] 802-828-2485
[fax] 802-828-5742
[ttd] 800-253-0191

Agency of Transportation

November 13, 2018

Stephanie H. Monaghan, Coordinator
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452

Re: Lakeside Ovens, LLC
4C1316

Dear Stephanie:

Enclosed for filing is an Entry of Appearance and a letter concerning the above referenced matter.

Sincerely,

Beth E. McTear

Beth E. McTear
Administrative Services Coordinator

Enclosure
c: Certificate of Service

STATE OF VERMONT
DISTRICT ENVIRONMENTAL
COMMISSION #4

RE: Lakeside Ovens, LLC
4C1316

ENTRY OF APPEARANCE
STATUTORY PARTY

Please enter the appearance of the State of Vermont, Agency of Transportation ("VTrans") in the above-entitled matter as a statutory party pursuant to 10 V.S.A. §6085(c)(1)(D). VTrans hereby requests that the following representative of the Agency be added to the Certificate of Service and that all correspondence and documents filed in this matter be served upon this representative:

Christopher G. Clow, P.E.
Transportation Engineer
Vermont Agency of Transportation
Development Review & Permitting Service Section
One National Life Drive
Montpelier, VT 05633-5001
(802) 828-0513
christopher.clow@vermont.gov

Additionally, VTrans has the following comments in conjunction with this matter:

CRITERIA 5: TRAFFIC

Please see attached VTrans comment letter dated November 13, 2018.

Dated at Montpelier, Vermont this 13th day of November 2018.

Respectfully submitted,

By: Beth E. McTear

Beth E. McTear
Administrative Services Coordinator
Agency of Transportation
One National Life Drive
Montpelier, VT 05633-0001

VERMONT

State of Vermont
Division of Policy, Planning and
Intermodal Development
One National Life Drive
Montpelier, VT 05633-5001
www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-0513
[fax] 802-828-2456
[ttd] 800-253-0191

November 13, 2018

Stephanie H. Monaghan
District #4 Coordinator
Natural Resources Board
111 West Street
Essex Junction, Vermont 05452

Re: 4C1316 Lakeside Ovens, LLC - Burlington

Dear Ms. Monaghan:

VTrans has reviewed the proposed permit and Traffic Impact Study (Exhibit 008, VHB, September 25, 2018) for the above application and offers the comments below.

The proposed project consists of redevelopment of the former Blodgett Pizza Oven Factory. Improvements include renovation of two pre-existing commercial buildings; Stormwater, wastewater, landscaping and parking improvements; and after-the-fact approval of structures and use as a seasonal beach club. According to the VHB traffic analysis, the proposed project is expected to generate 162 vehicles per hour (vph) during the AM peak hour and 142 vph during the PM peak hour. The peak hour trips analyzed in this Traffic Impact Study make for a conservative traffic estimate for this roadway network. According to VHB's trip calculations for the Act 145 transportation impact fee, the existing land use (Blodgett oven facility) had 143 existing PM peak hour trips so the *net* additional traffic for the new development is 33 vehicles for the PM peak hour (the VHB site trip estimate for the Act 145 transportation impact fee is included as an attachment within this document).

Much of this project's traffic will be utilizing Burlington's city streets for dispersion as well as utilizing the future Champlain Parkway project for more direct access to the southern portion of Burlington, Shelburne, and the interstate. Based on the traffic dispersion within the city network and the mitigation provided by the Champlain Parkway, VTrans has no concerns relative to the impact of the project on traffic congestion, safety, or access for pedestrians, cyclists, and transit.

The Vermont Rail Division wanted to make the applicant aware of their proximity to the Vermont railway. This is an active rail line and if the applicant needs to place equipment adjacent to the railroad bed for construction purposes, they would need to submit a flagging request for working alongside or within the railroad right-of-way. The applicant can visit the following VTrans link for a flagging request should it be warranted: https://maps.vtrans.vermont.gov/rail/flagging/form/

As mentioned above, the proposed redevelopment is located next to the Champlain Parkway project that is included on the VTrans Capital Program (Project number MEGC M 5000(1)). The development is also located approximately six tenths of a mile from the Burlington Roundabout project at the intersection of Shelburne Rd, South Willard St, St. Paul St, and Locust St. (Project number HES 5000(18)). **According to the VHB Act 145 calculation sheet, 33 net vehicles will be using the Champlain Parkway and 2 net vehicles will be using the Burlington Roundabout project during the PM peak hour.**

VTrans recommends payment of a transportation impact fee for the Champlain Parkway and Burlington Roundabout projects pursuant to Act 145 (2014) – Transportation Impact Fees. Act 145 allows a District Commission to require payment of a transportation impact fee for a capital transportation improvement that is "…necessary to mitigate the transportation impacts of a proposed development or subdivision or that benefit the proposed development or subdivision" (10 VSA §6104). The Champlain Parkway and Burlington Roundabout projects will address congestion and safety issues resulting in improved access that will benefit the proposed development. For more information regarding the Act 145 Transportation Impact Fee as well as an online map showing current Act 145 projects within the state, please visit:
http://vtrans.vermont.gov/planning/development-review-services

VTrans concurs with the VHB PM peak hour trip distributions for the Champlain Parkway and Burlington Roundabout projects mentioned above and recommends a transportation impact fee for Champlain Parkway project of $2,069 per PM peak hour trip and an impact fee for the Burlington Roundabout project of $1,217 per PM peak hour trip. **Summing these items, the proposed development project should be assessed a total transportation impact fee of $70,711**. Payment to VTrans would be due after the land use permit is issued and prior to the start of construction. The check should be sent to the following address:

State of Vermont Agency of Transportation
Development Review and Permitting Services Section
1 National Life Drive – 3rd Floor
Montpelier, VT 05633-5001
Attn: Christopher Clow

The table below shows how the fee formula rates of the PM Peak Hour Trips were determined.

Burlington Roundabout Project – HES 5000(18)

Total Project Cost	$3,460,000	
Total Project Capacity	2,842	vph
Transportation Impact Fee Rate	$1,217	/PM Peak Hour Trip

Champlain Parkway Project – MEGC M 5000(1)

Estimated Cost of Champlain Parkway Project #: MEGC M 5000(1)	**$37,100,000**
Total Traffic Capacity of Intersections *(Veh/Hour)*	**14,430**
Total Traffic Capacity for New Champlain Parkway Lanes (Veh/Hour)	**3,500**
Total Traffic Capacity for Lake Champlain Parkway Project	**17,930**
Base Transportation Impact Fee per PM Peak Hour Trip Passing Through the Champlain Parkway	**$2,069**

Please contact me with any questions or comments at 802-828-0513 or christopher.clow@vermont.gov

Sincerely,

Christopher G. Clow, PE
Transportation Engineer

Attachment
cc: Certificate of Service

Computations

Project:	Blodgett Redevelopment	Project #:	58083.00
Location:	Burlington, VT	Sheet:	1 of 1
Calculated by:	ELQ	Date:	11/6/18
Checked by:	JDS	Date:	11/8/18
Title:	Act 145 Trip Generation Calculation		

Site Trip Generation

Historic Uses

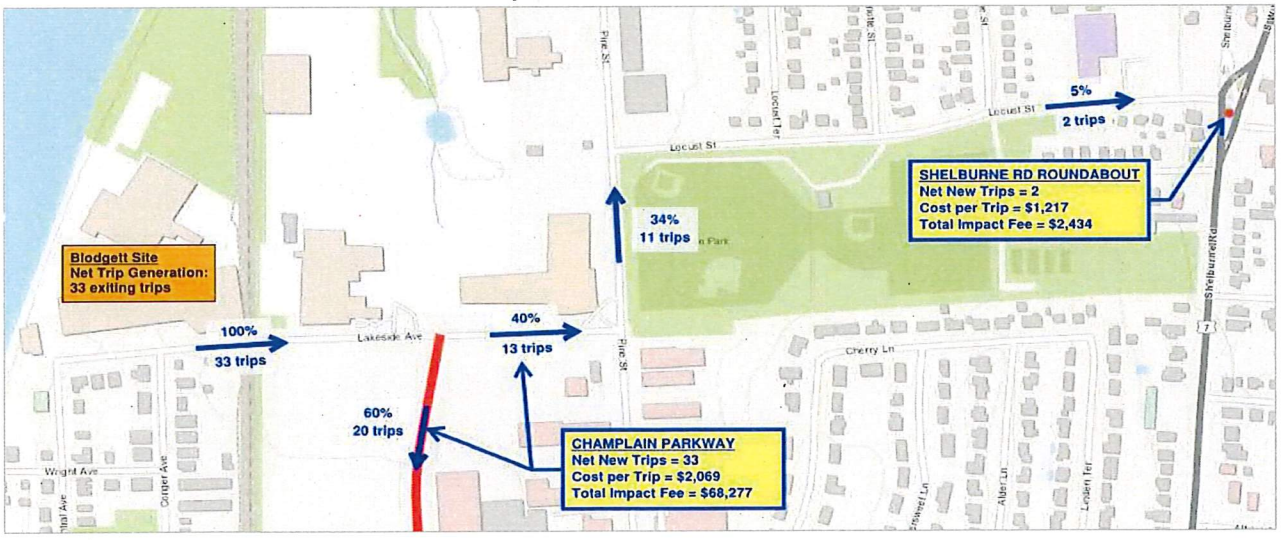
			PM Peak Hour		
Building	**Size**	**Use**	**Enter**	**Exit**	**Total**
50 Lakeside Avenue	79,500 sf	Manufacturing (140)	16	37	53
44 Lakeside Avenue	57,000 sf	General Office (710)	11	56	67
32 Lakeside Avenue	9,200 sf	Small Office (712)	7	16	23
		Total:	**34**	**109**	**143**

Proposed Uses

			PM Peak Hour		
Building	**Size**	**Use**	**Enter**	**Exit**	**Total**
50 Lakeside Avenue 44 Lakeside Avenue	136,500 sf*	General Office (710)	24	129	153
32 Lakeside Avenue	9,200 sf	Small Office (712)	7	16	23
		Total	**31**	**145**	**176**
		Net Increase in Trips	**-3**	**36**	**33**

** Combined size of both office buildings. Building sizes will change slightly from existing conditions.*

Trip Distribution Calculations



Act 145 Impact Fee Summary	
Champlain Parkway:	$68,277
Shelburne Road Roundabout:	$2,434
TOTAL ACT 145 IMPACT FEE:	**$70,711**

CERTIFICATE OF SERVICE

I, Beth E. McTear, of the Vermont Agency of Transportation hereby certify that on November 13, 2018, I sent a letter to District #4 Environmental Commission concerning the applicant, Lakeside Ovens, LLC, #4C1316, by U.S. Mail, postage prepaid or by email to the following:

Lakeside Ovens, LLC
c/o Russ Scully
Scully Interactive
688 Pine Street
Burlington, VT 05401
russ@scullyinteractive.com

John Caulo
LandPlan
61 Central Ave.
Burlington, VT 05401
john.caulo@gmail.com

Kevin Worden
Engineering Ventures
208 Flynn Avenue, Suite 2A
Burlington, VT 05401
kevinw@engineeringventures.com

City of Burlington
c/o City Council and Planning Commission
149 Church Street
Burlington, VT 05401
abovee@burlingtonvt.gov

Chittenden County Reg. Planning Comm.
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Elizabeth Lord, Land Use Attorney
Agency of Natural Resources
One National Life Drive
Montpelier, VT 05602
Anr.act250@vermont.gov

VT Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov

VT Agency of Agriculture, Food & Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
Agr.act250@vermont.gov

Division of Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov
james.duggan@vermont.gov

Dated at Montpelier, Vermont this 13th day of November, 2018.

Beth E. McTear

Beth E. McTear
Agency of Transportation

RECEIVE
NOV 19 2018
DEPARTMENT C
PLANNING & ZON

CITY OF BURLINGTON, VERMONT CITY COUNCIL

CITATION/NOTICE

HEARING TO DETERMINE MONETARY DAMAGES

Municipal Project Burlington MEGC M5000(1)
Southern Connector/Champlain Parkway EA/SUBJOB: MEGC-M5000(1)

Pursuant to the Burlington City Charter and Title 19, Chapter 7 of the Vermont Statutes Annotated, the City Council of the City of Burlington hereby gives notice that it will meet at Burlington City Hall, Contois Auditorium at 6:00 p.m. on December 17, 2018 for the purpose of taking evidence, receiving testimony and hearing all persons interested in the matter of monetary damages, if any, which are payable to individual property owners as a result of the acquisition or use of property, or easements and interests therein, associated with the above-referenced project, known as the "Champlain Parkway." If necessary due to time constraints, the Council will continue the hearing on January 7, 2019 at 6:00 p.m. at the same location.

By way of general description, the Champlain Parkway will involve grading, subbase, pavement, curbing, drainage, and other improvements related to a new urban highway connecting I-189 and Route 7/Shelburne Street with Main Street in Burlington. Project plans and additional Project-related information are available at the Burlington City Clerk's Office. The City Council, following a site visit on May 21, 2018, has already determined that the Project, as proposed, meets a reasonable need which considers the greatest public good and the least inconvenience and expense to the municipality and the property owners from which interests have been acquired. The City Council's decision on necessity was signed and recorded in the Burlington Land Records on June 6, 2018. The hearing that will take place on December 17, 2018 relates solely to the question of the amount of damages, if any, that will be paid to property owners whose property is affected by the Project.

All interested parties are invited to attend the compensation hearing at 6:00 p.m. on December 17, 2018 and to offer testimony and any appraisals or other materials that they wish for the City Council to consider in rendering decisions relative to compensation for property interests taken as part of the Project.

Pursuant to 24 App. V.S.A. Ch. 3 § 252, this Citation/Notice is being served on the following interested persons:

Vermont Railway, Inc.
Donald Lee and Julie D. Lafountaine
U.S. Bank National Association
Rieley Properties, LLC
Group Five Investments
T.D. Bank N.A.
The Maltex Partnership
People's United Bank

RECEIVE
NOV 19 2018
DEPARTMENT C
PLANNING & ZON

Community Bank, N.A.
444 Pine Street Condominium Owners Association
Dealer Dot Com, Inc.
Derrick H. Davis Charitable Remainder Trust II
Overlake Park, LLC

Dated at Burlington, Vermont, this 14TH day of November, 2018.

For the City Council

Kurt Wright, City Council President

Meagan Tuttle

From: Cleary Buckley <cb@sbavt.net>
Sent: Tuesday, November 20, 2018 3:32 PM
To: Meagan Tuttle
Subject: Article 14 - Ramps

Planning Commission Members,

I have been reviewing Article 14 of the Zoning Ordinance, and came across something that needs to be adjusted. 14.4.13 h i) ii says, "Permanent handicapped access ramps located in the First Lot Layer must be integrated into the design of the chosen Frontage Type. Otherwise they must be located in the Second or Third Lot Layer."

1. Although it is still commonly used, the term "handicapped" is widely considered pejorative. This wording needs to be changed.

2. Singling out ramps without including stairs and other means of vertical access appears to place a higher burden on this access feature, and seems to presuppose that a different level of design is needed. I suggest changing the wording of this to something like, "Permanent vertical access features, (stairs, ramps, etc.) located in the First Lot Layer must be integrated into the design of the chosen Frontage Type. Otherwise they must be located in the Second or Third Lot Layer."

This may seem like a small semantic issue, but my opinion is that this is an important issue that needs to be corrected ASAP. Please confirm receipt of this communication.

Thank you.

Cleary Buckley
26 Wildwood Dr.
Burlington, VT 05408
802-399-9451

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/pz

Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, November 27, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

Minutes

Members Present	A Montroll, B Baker, Y Bradley, A Friend, E Lee, J Wallace-Brodeur
Members Absent	H Roen
Staff Present	M Tuttle, D White, S Draper, B Lowe

I. Agenda

Call to Order	Time: 6:34pm
Agenda	Approved As Is

II. Public Forum

Name	Comment	Commission Action?
Cynthia Rubin	Learn more about planBTV before the public hearing next week	

III. Report of the Chair

A Montroll	• No Report

IV. Report of the Director

D White	• Continuing work on permit reform, will be discussing later on the meeting

V. Public Hearing: Proposed ZA-19-05 Density Calculations

Action: Refer the amendment to Council with recommendation		
Motion by: A Friend	Second by: J Wallace-Brodeur	Vote: Approved Unanimously
Type: Discussion	Presented by: D White	
Discussion/Notes: Purpose is to provide additional detail regarding method for calculating permitted density on a lot, to incorporate language into this calculation consistent with Article 13 Definitions, and to update the methodology for calculating nonresidential density. • This amendment was previously forwarded to the City Council (ZA-18-04) but has expired. The City Council Ordinance Committee has sent it back to Planning Commission to restart the clock.		

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

VI. Public Hearing: Proposed ZA-19-06 Article 7 Sign Ordinance

Action: Refer the amendment to Council with recommendation		
Motion by: Y Bradley	Second by: B Baker	Vote: Approved 4-2, E Lee & A Friend opposed
Type: Discussion	Presented by: D White	

Discussion/Notes:
Purpose is a comprehensive update to the city's sign regulations to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type and assure content neutrality.

- City Attorney's office suggest striking "hand-produced" in the definition of mural, unless it is the intention to only allow "hand-produced" art, and no other forms.
- Commissioners disagree on this issue, particularly regarding whether it should/would preclude types of art like photography.

Before voting to forward the amendment, the Commission approved a motion by Y Bradley, seconded by B Baker to strike "hand-produced."

VII. Proposed CDO Amendment: Commercial Uses in E-LM

Action: Approve the Municipal Bylaw Amendment Report and warn for public hearing		
Motion by: E Lee	Second by: Y Bradley	Vote: Approved Unanimously
Type: Presentation & Discussion	Presented by: M Tuttle	

Discussion/Notes:
Over the past few months, the Planning Commission has received several requests to reconsider the allowable commercial uses in the Enterprise-Light Manufacturing district. The purpose of the proposed amendment is to permit additional commercial uses in certain parts of the E-LM zoning district consistent with the vision for the South End articulated in the draft *planBTV: South End Master* plan. This includes:

- permitting banks
- removing the limitations on performing arts centers
- establishing requirement that a majority of the gross floor area on a lot south of Home Avenue be an industrial/manufacturing/warehouse use.

VIII. 2019 Update to planBTV

Action: No Action Required		
Motion by:	Second by:	Vote:
Type: Discussion	Presented by: M Tuttle	

Discussion/Notes:
Staff and Commissioners have been using email and social media platforms to share information about the plan. Informal activities have also included attending coffee hours, Conservation Board, NPA's and other organizations' events to discuss the plan. Staff has also been in communication with the city councilors, offering a collaborative approach to help spread the word to their wards for the Council's hearings in the spring. Edits that have been suggested based on discussions:

- Adjusting parts of the future land use map along East Ave to reflect a residential future land use type for existing residential structures on the west side of the street.
- Clarifying the language around "amenities" on the edges of the institutional zone that can offer a connection between the institutions and neighborhoods, i.e. Redstone Green, community gardens.

Staff will provide a document of comments and suggestions made, and ways that they could be addressed, after the public hearing.

IX. Permit Reform

Action: Provide a recommendation for consideration by the City Council		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion	Presented by: D White, B Lowe	

Discussion/Notes:

- B Lowe presented notes from the City Council discussion on permit reform. The council had strong support for merging the zoning function with trades and inspections. Councilors continued discussion on the merger of Planning and CEDO and raised concerns regarding: Planning Commission authority over CEDO, Planning Director appointment process, future funding challenges, perspective compatibility (long term v. short term goals), dilution of CEDO's social equity mission, obstruction of economic/ development priorities, heavy focus on development, and loss of independent long term view.
- D White presented information on how Planning and CEDO overlap, and merging the two departments is a stronger option than other organizational options.
- Commissioners are not supportive of changing the appointment process of the department head, and are concerned of the risks that may be associated with splitting changing Planning's functional role. Will continue the discussion in a special meeting.

X. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	Meeting on 11/27 was canceled for lack of quorum

XI. Commissioner Items

planBTV: Comprehensive Plan	Draft Update Presentation & Public Hearing is on December 5, 2018 at 6:30pm in Contois Auditorium.
Next Meeting	December 11, 2018 @ 6:30pm in Conference Room 12, City Hall.
Special Meeting	Potential special meeting on January 9 or 14.

XII. Minutes & Communications

Action: Approve Minutes and Accept communications		
Motion by: A Friend	Second by: Y Bradley	Vote: Approved Unanimously
Changes to Minutes: N/A		

Communications Filed:

- Letter from VTrans regarding traffic impact from the redevelopment of the former Blodgett Oven Factory
- Hearing Notice from Burlington City Council for monetary damages to individual property owners as a result of the Champlain Parkway project
- Request for potential adjustments to Article 14 of the Zoning Ordinance

XIII. Adjourn

Adjournment	Time: 9:00pm	
Motion: E Lee	Second: J Wallace-Brodeur	Vote: Approved Unanimously

Signed: December 13, 2018

_____

Andy Montroll, Chair

_____

Shaleigh Draper, Planning and Zoning Clerk