

Burlington Planning Commission

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Eamon Dunn, Youth Member



Burlington Planning Commission

Tuesday, January 9, 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. **Proposed CDO Amendment: Article 7 Sign Regulations**

The Planning Commission will receive and discuss a proposed amendment to the *Comprehensive Development Ordinance* regarding Article 7 Sign Regulation.

Staff Recommended Action: No action is requested during this meeting. The Commission is invited to ask questions and provide feedback on the proposed amendment.

VI. **Proposed CDO Amendment: FD5 Boundaries**

The Planning Commission will receive information from staff regarding potential modifications to the Form District 5 Boundaries, based on discussions with the Joint Form Based Code Committee that were not pursued in the initial adoption of *planBTV: Downtown Code*.

Staff Recommended Action: No action is requested during this meeting. The Commission is invited to ask questions and provide feedback on the proposed amendment for future discussion.

VII. **Committee Reports**

VIII. **Commissioner Items**- *Next meeting is Tuesday, January 23, 2018 @ 6:30 pm in Conference Room 12. The Commission will also hold a special meeting in conjunction with the Development Advisory and Development Review boards on Tuesday, January 30, 2018 at 5:00pm in Contois Auditorium.*

IX. **Minutes & Communications**

The Commission will review and approve the minutes of the December 13, 2017 meeting, enclosed in the agenda packet.

X. **Adjourn**

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Burlington Comprehensive Development Ordinance

PROPOSED: ZA-18-XX Article 7 Signs

As proposed by the Planning Staff – 1/9/18.

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 Signs and advertising features are:

- (a) Compatible with their surroundings by controlling the type, size, location, and design in order to maintain a safe and orderly pedestrian and vehicular environment and reduce clutter along the city streetscapes;
- (b) An enhancement to the city's built environment, and harmonious in size, design, color, material, and lighting with the building to which it relates; and,
- (c) Safe and not distracting to motorists by reducing potentially hazardous conflicts between Signs and traffic control devices.

Sec. 7.1.2 Permit Required

All Signs 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.

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 permit.

The following types of Signs are permitted in all parts of the city, and shall also be exempt from the requirements of this Article:

- (a) Highway and Official Signs. 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, and other such Signs erected by or at the direction of a government agency, public utility, or other quasi-public agent in the performance of a public duty subject to approval by the city engineer.
- (b) Street Address Identification. Numerals that identify the street address of the property so that it can be easily identified from a public 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 the numerals does not exceed two (2) square feet. In cases where the building is not located within view of the public street, the numerals may be located on a mailbox or other suitable device such that it is visible from the street.
- (c) Flags:
 - 1. In all Residential and RCO zones: up to 2 flags and 1 pole per lot. Each flag may be up to 15 square feet in area with no single dimension exceeding 5-feet. The height of the flag pole shall not exceed the height limit for the zoning district per the district-specific dimensional requirements of Article 4, and shall meet the minimum setback requirements per the district-specific dimensional requirements of Article 4.
 - 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 and 6 poles are permitted. Each flag may be up to 24 square feet in area with no single dimension exceeding 6-feet. The height of the 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.

- (d) Property Management, Information and Directional Signs. Non-illuminated Signs two (2) square feet or less in size oriented to and intended only for use internal to the property. Examples may include those announcing no trespassing; warning of hidden dangers; the private nature of a road, driveway, or premises; directional and parking; or regulating fishing or hunting.
- (e) Signs Inside Buildings. Any Sign which is located completely within an enclosed building and 12-inches or more behind a window or door, when such Sign is not readable from 10 feet or more outside the building.
- (f) Holiday Decorations: Holiday decorations displayed for and during any 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.
- (g) Temporary Signs: Temporary Signs are allowed without the requirement of a zoning permit provided they meet the standards found in Sec. 7.1.5 Temporary Signs below.

Sec. 7.1.4 Prohibited Signs

The following types and characteristics of 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 found within the public right-of-way 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.
- (b) Signs located where the view of approaching or intersecting traffic would be obstructed;
- (c) Signs that are distracting to, 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 or Thoroughfare.
- (d) Signs that interfere with pedestrian movement along Sidewalks and paths;
- (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;
- (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 project above the roof or parapet line;
- (i) Signs mounted, attached, or painted on a trailer, boat, or motor vehicle 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. 7.1.10 or Sec. 7.2.8; 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 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 a public right-of-way, public Thoroughfare, Building, or Structure except as may be allowed for special events by (WHO?).

Sec. 7.1.5 Temporary Signs

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 Sign	
Number of Signs	1 per primary street frontage; 1 per primary street frontage for a property offered for rent or sale; and, 1 per candidate or ballot item max.
Types Allowed	Freestanding and/or Window
Sign Area	6 sf max. for any individual Sign 36 sf max total area for all Signs
Sign Height	4' max if Freestanding
Illumination	None
Duration/Frequency	Shall not exceed 30 consecutive days with a minimum of 30 days between display periods with a maximum of 2 display periods per calendar year; Shall not be erected earlier than ninety (90) days prior to a pending rental vacancy or prior to the property being offered for sale, and shall be removed within three (3) days after a rental agreement has been executed or title to the property has been transferred; and, Shall not be erected earlier than forty-five (45) days prior to the election to which they pertain, and shall be removed within three (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.

Table 7.1.5-A Temporary Signs**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.

Construction Site Window Wrap

Number of Signs	1 per window and door max.
Sign Area	Must 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 or if the project ceases construction for 12 months or longer.

Sec. 7.1.6 Non-Conforming Signs

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

A non-conforming 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 the existing Sign frame) except to bring the Sign into complete or substantially greater compliance with this Article. In such cases, the DRB may allow a new Sign to be in substantially greater compliance than the existing nonconforming Sign subject to the applicable requirements of this Article. 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 Sign Maintenance and Removal

All Signs must be maintained in a condition or state of equivalent quality to which it was approved or required by the City.

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.

Because of their historic and iconic nature in the community, the following Signs shall be exempt from the removal requirements of this Section. Such Signs may be repainted, refaced, repaired, and/or include a change of lettering, logo, or colors so long as the repair or replacement retains the same size, shape, location, design, materials, and other distinguishing characteristics of the Sign existing as of October 1, 2017 or earlier. Any repair or modification that alters the size, shape, location, design, materials, and other distinguishing characteristics of the Sign shall be required to conform to all requirements of this Article.

107 Church Street; 	115 Church Street. 
Church Street 	Main Street 

Main Street 	Pearl Street 
Bank Street 	NE corner of College and St. Paul St. 
SW corner of North and N Champlain St.	

Sec. 7.1.8 Sign Permit Applications and Submission Requirements

A Sign Application as provided in Article 3 is necessary for those requests pertaining to all Signs covered by the requirements of this Article. Submission requirements shall 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 indicating its dimensions in square inches or feet (length, width, height), and all materials and colors used;
3. Applications involving Freestanding and Monument Signs shall include a scaled site plan indicating the location of all existing and proposed Signs on the lot and all setbacks in feet from the property lines and/or rights-of-way.
4. Applications involving Awning, Canopy, Marquee, Nameplate, Outdoor Display Case, Window, Wall, and Blade Signs shall include scaled building elevations indicating the location of all existing and proposed Signs on the building 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 Signs for the establishment; and,
7. Photographs of the building or site where the Sign is proposed.

Sign Permit requests require only administrative review and approval pursuant to the procedural requirements of Sec. 3.2.7 and the requirements of this Article except as provided for in Sec. 7.1.6 for modifications to a non-conforming sign.

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

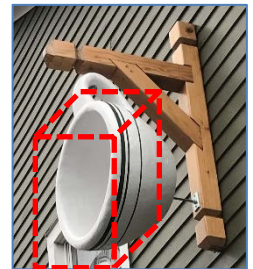
Sec. 7.1.9 Calculation of Sign Area and Height

(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 7.2.13 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 rectangle encompassing all the letters and symbols. (See Figure 7.1.9-1)
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.



Figure 7.1.9-1 Area of a Sign affixed directly on a building.



- (b) Unless described otherwise under Secs. 7.2.2 through 7.2.13 Sign Types, the following shall govern the calculation of a Sign's height:
 - 1. Sign height is measured as the vertical distance from the base of a sign or sign structure, to the highest point of the sign or sign structure.
 - 2. For Signs attached to a structure, vertical clearance is measured as the vertical distance from the sidewalk level to the lowest point of the Sign.

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 7.2.13 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.
- (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, and only if reviewed by the DAB and approved by the DRB. 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 only 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 or 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.

(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:

1. Shall not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, video, or scrolling advertising.
2. The luminance of the display shall not exceed 5,000 nits.
3. Where it 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.
4. Shall consist only of alphabetic or numeric characters on a plain background, and may not include any graphic, pictorial, video, or photographic images.
5. Shall utilize a maximum of only one color for the message on a dark background of only one color.
6. Shall 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. Shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

8. Shall contain a default mechanism that freezes the changeable message in one position or shuts off the device in the event of a malfunction.
9. The area occupied by the electronic changeable message may comprise no more than (50) percent of the maximum total allowable Sign area as provided in Secs. 7.2.2 through 7.2.13 Sign Types.
10. The area dedicated to the electronic changeable message may have a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols.

PART 2: SIGN TYPES

Sec. 7.2.1 Sign Types

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 7.2.13 below.

(a) Mixing Multiple Sign Types:

1. Mixing multiple types of signs on a single building or site is permitted unless otherwise limited by the Sign Type.
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 the Table 7.2.1-A below:

Table 7.2.1-A Sign Types Permitted by Form/Zoning											
	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

Table 7.2.1-A Sign Types Permitted by Form/Zoning

	Mixed Use							Enterprise & Institutional			Standard
Sign Type	FD6	FD5	DW-PT	NAC	NAC-CR	NAC-RC	NMU	E-LM	E-AE	I	
Freestanding Yard Sign	●	●	●	●	●	●	●	●	●	●	7.2.7
Marquee	●	●	●	●	○	○	○	○	○	●	7.2.8
Monument Sign	●	●	●	●	●	●	●	●	●	●	7.2.9
Outdoor Display Case	●	●	●	●	●	●	●	●	●	●	7.2.10
Sandwich Board	●	●	●	●	●	●	●	●	●	●	7.2.11
Wall Sign	●	●	●	●	●	●	●	●	●	●	7.2.12
Window Sign	●	●	●	●	●	●	●	●	●	●	7.2.13
● - Sign Type is permitted							○ - Sign Type is not permitted				

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

	Residential			RCO & Urban Reserve				Standard
Sign Type	RH	RM/ RM-W	RL/ RL-W	RCO-R/G	RCO-A	RCO-C	UR	
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
Sandwich Board	○	○	○	●	●	●	○	7.2.11
Wall Sign	●	●	●	●	○	○	○	7.2.12
Window Sign	●	●	●	●	●	●	○	7.2.13
● - Sign Type is permitted				○ - Sign Type is not permitted				

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 first floor windows.

Specifications

Quantity	1 max. per Awning 3 max. per Canopy
Area, Lettering	75% max. of the area of the Valance or Canopy face; 25% max. of the area of the sloping plane of an Awning
Height, Lettering	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.

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

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

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 the principal entrance and spanning across an individual storefront, architectural bay, or the entire building façade.

Specifications

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

Miscellaneous

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

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

7.2.4: Blade Sign



Description

This Sign type consists of 1-2 faces, and projects perpendicular from the Building facade.

Specifications

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

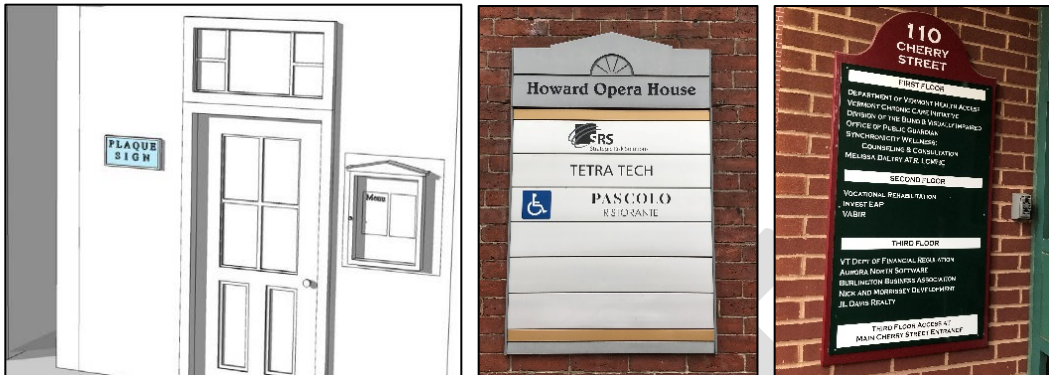
A Blade Sign may be attached to the face or underside of a canopy

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

Quantity	1 per principal entrance max.
Width	18-in max.
Height	36-in max.
Depth/Projection	3-in max. from the facade

Miscellaneous

Directory Signs shall be located within 4-feet of a principal entrance.

If illuminated, Directory Signs may only be backlit.

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

7.2.6: Freestanding Sign



Description

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

Specifications

Quantity	1 max. per primary street frontage.
Width	6-ft max. (not including supports)
Height	8-ft max. (not including supports)
Depth (face-to-face)	1-ft max.
Area	60 sf max. (not including supports) or 0.5 sf per linear foot of street facing building frontage whichever is less.
Setback	The lesser of 3-ft min. from the front property line or in-line with the building façade, and 5-ft min. from any side property line
Height, Overall	14-ft above the finished grade (including supports).

Miscellaneous

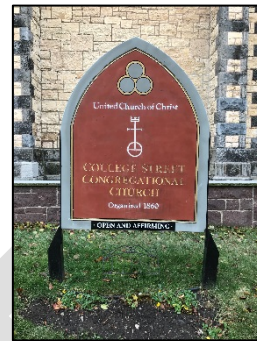
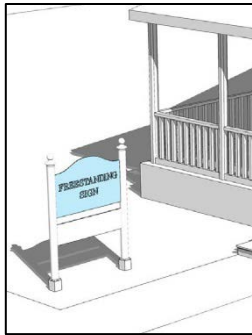
No part of a Freestanding Sign may encroach upon a public right-of-way or overhang a driveway, parking area, or walkway.

A Freestanding Sign may not be used in addition to a Monument Sign.

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

Freestanding Signs may be internally or externally illuminated or backlit.

7.2.7: Freestanding Yard Sign



Description

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

Specifications

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

Miscellaneous

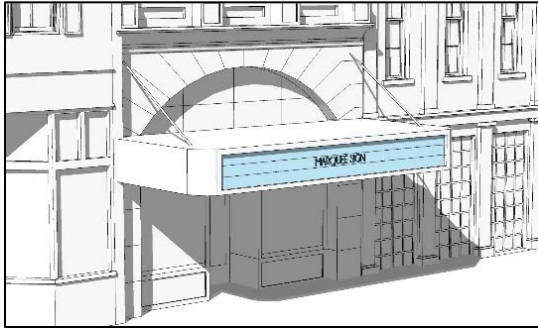
No part of a Freestanding Yard Sign may encroach upon a public right-of-way or overhang a driveway, parking area, or walkway.

A Freestanding Yard Sign may not be used in addition to a Monument Sign.

Freestanding Yard Signs may only be externally illuminated.

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

7.2.8: Marquee



Description

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

Specifications

Quantity	1 max. per primary street frontage.
Width	Width of the principal entrance plus 5-feet on each side max.
Projection	6-ft min.; 10-ft max. from the facade
Setback	No closer than 3-ft min. from the back of the curb
Area, Sign	75% max. of any face of the Marquee
Height, Clear	10-ft min. above the finished sidewalk
Height, Overall	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

Miscellaneous

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

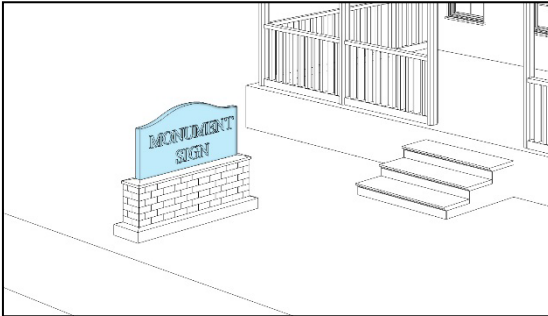
A Marquee erected on a building that adjoins the intersection of 2 streets may intersect at a 45 degree angle to the corner of the building.

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 a 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.

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

Miscellaneous

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

A Monument Sign may not be used in combination with a Freestanding Sign or Freestanding Yard Sign.

If illuminated, a Monument Sign may 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 a manual or electronic changeable message where permitted.

7.2.10: Outdoor Display Case



Description

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

Specifications

Quantity	1 per tenant max.*
Width	3-ft max.
Height	4-ft max.
Area	6-sf max.*
Depth/Projection	3-in max. 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.

7.2.11: 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 “I”.

Specifications

Quantity	1 per tenant per street frontage
Area	8 sf max
Height	4-ft max. above the finished grade
Width	3-ft max.
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 must maintain a minimum of 5-feet of sidewalk clearance 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 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.

7.2.12: Wall Sign



Description

This Sign type has a single face and is attached, painted, or otherwise mounted parallel to a building or structure wall.

Specifications

Height	No higher the floor level of the second story.
Area	• 2 sf per linear foot of street frontage max. associated with a first floor tenant. • 10 sf max. 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 to which they are attached. • A Wall Sign in any residential district shall not exceed 2-sf in area. • A Wall Sign in a RCO-R/G district shall not exceed 20-sf in area.
Depth/Projection	12-in max. from the facade

Miscellaneous

A Wall Sign may not cover any windows or other architectural details of the building.

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

7.2.13: 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.

Specifications

Quantity	1 max. per first or second floor window and/or ground floor entry.
Area	• 20% max. of the area of any individual window located between 4 and 7 feet above the adjacent sidewalk. • total area may not exceed 30% of the total window area of all windows with signs per facade.
Height, Lettering	8-in max.

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.

PART 3: MASTER SIGN PLANS

Sec. 7.3.1 Intent

In order to provide for design quality, flexibility, compatibility, and creativity in larger buildings and building complexes with multiple tenants or owners, Signs shall be allowed as specified in a Master Sign Plan for the property.

Sec. 7.3.2 Applicability

Within any Mixed Use, Enterprise, or Institutional zoning district, all Signs located on a site, building, or a complex of buildings with three or more tenants or owners located on a single lot or adjacent lots under common ownership may be granted a Master Sign Plan by the DRB submitted by the building owner and reviewed and approved under the provisions of Sec. 7.3.4 below.

Sec. 7.3.3 Submission Requirements

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

Information to be included in a Master Sign Plan shall include, but not be limited to, the following:

- (a) Total number of Signs proposed, including any existing Signs that will remain.
- (b) Sketch of Signs clearly indicating size/dimensions of all Signs – including height above finished grade, lettering, logos or other graphics, colors, materials, texture.
- (c) Types of Signs – see Part 2.
- (d) Building elevations/photographs clearly illustrating the placement of Signs on buildings.
- (e) Site plan indicating location of freestanding Signs 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,
- (d) Individual Signs in an approved Master Sign Plan may vary from the dimensional and locational standards of Part 2 of this Article pertaining to each Sign Type. However, no individual Sign may exceed the maximum area limitations for the specified Sign Type or be located on the roof, or project above the roof or parapet line, of a Building or Structure.
- (e) Except for such variations approved by the DRB by acceptance of a Master Sign Plan pursuant to this Article, all other requirements, permits, and restrictions regarding 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 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.

Nit: a unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One nit is equivalent to one candela per square meter.

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

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-18-XX Article 7 Signs

As proposed by the Planning Staff – 1/9/18.

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:

- (a) Compatible with their surroundings by controlling the type, size, location, and design in order to maintain a safe and orderly pedestrian and vehicular environment and reduce clutter along the city streetscapes;
- (b) An enhancement to the city's ~~visual-built~~ environment, and harmonious in size, design, color, material, and lighting with the building to which it relates; and,
- ~~(c) Orderly, readable, and safe;~~
- ~~(d) Harmonious in color, material and lighting with the building to which it relates; and,~~

~~(e)(c) Safe and not distracting to motorists by reducing potentially hazardous conflicts between Signs and traffic control devices. Non-distracting to motorists.~~

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.

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 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:

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

- ~~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.~~

~~(a) Highway and Official Sign~~Signs. Subject to approval by the city engineer, signSigns 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, and other such Signs erected by or at the direction of a government agency, public utility, or other quasi-public agent in the performance of a public duty subject to approval by the city engineer. other official public signs or notices placed on a temporary basis for use by emergency services or public utilities.

~~(b) Street Address Identification Signs. Numerals 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 numerals may be located on a mailbox or other suitable device such that it is visible from the street.

~~(c) 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.

- (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 Residential and RCO zones, up to two (2) flags and one (1) 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 1515 square feet in area with no single dimension exceeding 55-feet. The height of the flag pole shall not exceed the height limit for the zoning district per the district-specific dimensional requirements of Article 4, and - Flag pole shall meet the minimum setback requirements setbacks shall be per the district-specific dimensional requirements of Article 4.

- (e)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 and 6 poles are permitted. Each flag may be up to 24 square feet in area with no single dimension exceeding 6-feet. The height of the 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.

- (d) ~~Property Management, Information and Directional Restriction Sign~~Signs. Non-illuminated ~~sign~~Signs ~~two (2) square feet or less in size oriented to and intended only for use internal to the property. Examples may include such as those~~ two (2) square feet or less in size oriented to and intended only for use internal to the property. Examples may include such as those announcing no trespassing; ~~warning of hidden dangers;~~ warning of hidden dangers; the private nature of a road, driveway, or premises; ~~directional and parking;~~ directional and parking; or regulating fishing or hunting ~~on the premises, provided the area of any such sign shall not exceed two (2) square feet.~~

- (g)(e) Signs Inside Buildings. Any Sign which is located completely within an enclosed building and 12-inches or more behind a window or door, when such Sign is not readable from 10 feet or more outside the building.

- ~~(h) Holiday Decorations:~~ Holiday decorations displayed for and during any 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.
- ~~(f)~~
- ~~— 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.~~
 - ~~— 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)(g)~~ 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 allowed without the requirement of a zoning permit provided they meet the standards found in Sec. 7.1.5 Temporary Signs below.
- ~~(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 found within the public right-of-way 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.
- (b) ~~Any off-premise sign which advertises or otherwise directs attention to any commodity or activity goods, products, or services which are not sold, 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 Department of Public Works.~~
~~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 located where the view of approaching or intersecting traffic would be obstructed.~~
- (c) Signs that are distracting to, 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 or Thoroughfare.
- (d) Signs that interfere with pedestrian movement along Sidewalks and paths;
- (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;

Commented [DEW1]: Same? Combine?

- (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 project above the roof or parapet line;
- (i) Signs mounted, attached, or painted on a trailer, boat, or motor vehicle 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. 7.1.10 or Sec. 7.2.8; 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 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 a public right-of-way, public Thoroughfare, Building, or Structure except as may be allowed for special events by (WHO?).

Commented [DEW2]: May want to allow for some limited displays by special permit TBD – limited in duration and location, for special events and occasions

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 Sign

<u>Number of Signs</u>	1 per primary street frontage; 1 per primary street frontage for a property offered for rent or sale; and, 1 per candidate or ballot item max.
<u>Types Allowed</u>	Freestanding and/or Window
<u>Sign Area</u>	6 sf max. for any individual Sign 36 sf max total area for all Signs
<u>Sign Height</u>	4' max if Freestanding
<u>Illumination</u>	None
<u>Duration/Frequency</u>	Shall not exceed 30 consecutive days with a minimum of 30 days between display periods with a maximum of 2 display periods per calendar year; Shall not be erected earlier than ninety (90) days prior to a pending rental vacancy or prior to the property being offered for sale, and shall be removed within three (3) days after a rental agreement has been executed or title to the property has been transferred; and, Shall not be erected earlier than forty-five (45) days prior to the election to which they pertain, and shall be removed within three (3) days afterwards.

Commented [DEW3]: Still working on this with the City Attorney...

Construction Site Sign

<u>Number of Signs</u>	1 per street frontage max.
<u>Sign Types Allowed</u>	Freestanding or Wall
<u>Total Sign Face Area</u>	32 sf max in a Residential or RCO district; or, 64 sf max in all other districts.
<u>Sign Height</u>	8' max.
<u>Illumination</u>	None
<u>Location</u>	Installed on the premises of a project under construction
<u>Duration/Frequency</u>	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.

Table 7.1.5-A Temporary Signs**Construction Site Wrap**

<u>Number of Signs</u>	<u>1 per street frontage max.</u>
<u>Sign Height</u>	<u>12' max.</u>
<u>Illumination</u>	<u>None</u>
<u>Location</u>	<u>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</u>
<u>Duration/Frequency</u>	<u>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.</u>

Construction Site Window Wrap

<u>Number of Signs</u>	<u>1 per window and door max.</u>
<u>Sign Area</u>	<u>Must fill the entire glazed portion of the window and/or door.</u>
<u>Illumination</u>	<u>None</u>
<u>Location</u>	<u>Installed on the premises of a project under construction.</u>
<u>Duration/Frequency</u>	<u>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.</u>

Sec. 7.1.6 Non-Conforming Signs

Any legally pre-existing 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. Non-conforming signs may remain in use at the same location, and ordinary maintenance and repair of such signs shall be permitted.

A non-conforming 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 frame ~~subject to obtaining a zoning permit~~) except to bring the sign into complete or substantially greater compliance with this Article. In such cases, the DRB may allow a new sign to be in substantially greater compliance than the existing nonconforming 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 Off-Premise Signs Maintenance and Removal

All Signs must be maintained in a condition or state of equivalent quality to which it was approved or required by the City.

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.

Because of their historic and iconic nature in the community, the following Signs shall be exempt from the removal requirements of this Section. Such Signs may be repainted, refaced, repaired, and/or include a change of lettering, logo, or colors so long as the repair or replacement retains the same size, shape, location, design, materials, and other distinguishing characteristics of the Sign existing as of October 1, 2017 or earlier. Any repair or modification that alters the size, shape, location, design, materials, and other distinguishing characteristics of the Sign shall be required to conform to all requirements of this Article.

<u>107 Church Street;</u> 	<u>115 Church Street.</u> 
<u>Church Street</u> 	<u>Main Street</u> 

<u>Main Street</u> 	<u>Pearl Street</u> 
<u>Bank Street</u> 	<u>NE corner of College and St. Paul St.</u> 
<u>SW corner of North and N Champlain St.</u>	

Commented [DEW4]: No pig

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

A Sign 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 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 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.
4. Applications involving ~~parallel~~Awning, Canopy, Marquee, Nameplate, Outdoor Display Case, Window, Wall, and ~~projecting~~Blade ~~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,
7. Photographs of the building or site where the ~~sign~~Sign is proposed.

~~Such Sign Permit~~ requests require only administrative review and approval pursuant to the procedural requirements of Sec. 3.2.7 and the requirements of this Article except as provided for in Sec. 7.1.6 for modifications to a non-conforming sign.

The Church Street Marketplace District shall be afforded an opportunity to review and comment on any application for a Sign placed on the Church Street Marketplace prior to approval 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 7.2.13 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 rectangle encompassing all the letters and symbols. (See Figure 7.1.9-1)
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.



Figure 7.1.9-1 Area of a Sign affixed directly on a building.



(b) Unless described otherwise under Secs. 7.2.2 through 7.2.13 Sign Types, the following shall govern the calculation of a Sign's height:

1. Sign height is measured as the vertical distance from the base of a sign or sign structure, to the highest point of the sign or sign structure.
2. For Signs attached to a structure, vertical clearance is measured as the vertical distance from the sidewalk level to the lowest point of the Sign.

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 7.2.13 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.
- (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, and only if reviewed by the DAB and approved by the DRB. 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 only 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 or 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.

(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:

1. Shall not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, video, or scrolling advertising.

2. The luminance of the display shall not exceed 5,000 nits.

3. Where it 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.

4. Shall consist only of alphabetic or numeric characters on a plain background, and may not include any graphic, pictorial, video, or photographic images.

5. Shall utilize a maximum of only one color for the message on a dark background of only one color.

6. Shall 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. Shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

8. Shall contain a default mechanism that freezes the changeable message in one position or shuts off the device in the event of a malfunction.

9. The area occupied by the electronic changeable message may comprise no more than (50) percent of the maximum total allowable Sign area as provided in Secs. 7.2.2 through 7.2.13 Sign Types.

10. The area dedicated to the electronic changeable message may have a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols.

PART 2: SIGN TYPES

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 7.2.13 below.

(a) Mixing Multiple Sign Types:

1. Mixing multiple types of signs on a single building or site is permitted unless otherwise limited by the Sign Type.
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 the Table 7.2.1-A below:

Table 7.2.1-A Sign Types Permitted by Form/Zoning

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

Table 7.2.1-A Sign Types Permitted by Form/Zoning

	Mixed Use							Enterprise & Institutional			Standard
Sign Type	FD6	FD5	DW-PT	NAC	NAC-CR	NAC-RC	NMU	E-LM	E-AE	I	
Window Sign	●	●	●	●	●	●	●	●	●	●	7.2.13
● - Sign Type is permitted							○ - Sign Type is not permitted				

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

	Residential			RCO & Urban Reserve				Standard
Sign Type	RH	RM/ RM-W	RL/ RL-W	RCO-R/G	RCO-A	RCO-C	UR	
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
Sandwich Board	○	○	○	●	●	●	○	7.2.11
Wall Sign	●	●	●	●	○	○	○	7.2.12
Window Sign	●	●	●	●	●	●	○	7.2.13
● - Sign Type is permitted				○ - Sign Type is not permitted				

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 first floor windows.

Specifications

Quantity	<u>1 max. per Awning</u> <u>3 max. per Canopy</u>
Area, Lettering	<u>75% max. of the area of the Valance or Canopy face;</u> <u>25% max. of the area of the sloping plane of an Awning</u>
Height, Lettering	<u>5-in min; 10-in max on the Valance, or 18-in max on sloping plane of an Awning</u> <u>24" max. on a Canopy</u>

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.

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

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

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 the principal entrance and spanning across an individual storefront, architectural bay, or the entire building façade.

Specifications

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

Miscellaneous

Band Signs shall include only characters, background, lighting, and an optional logo.
If illuminated, Band Signs may be externally illuminated or backlit.

7.2.4: Blade Sign



Description

This Sign type consists of 1-2 faces, and projects perpendicular from the Building facade.

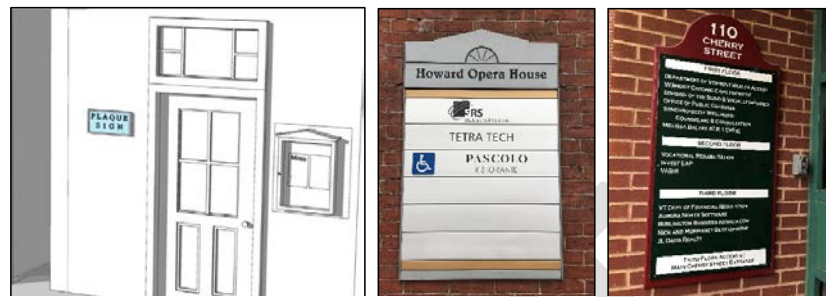
Specifications

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

Quantity	1 per principal entrance max.
Width	18-in max.
Height	36-in max.
Depth/Projection	3-in max. from the facade

Miscellaneous

- Directory Signs shall be located within 4-feet of a principal entrance.
- If illuminated, Directory Signs may only be backlit.
- Directory Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

7.2.6: Freestanding Sign



Description

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

Specifications

Quantity	1 max. per primary street frontage.
Width	6-ft max. (not including supports)
Height	8-ft max. (not including supports)
Depth (face-to-face)	1-ft max.
Area	60 sf max. (not including supports) or 0.5 sf per linear foot of street facing building frontage whichever is less.
Setback	The lesser of 3-ft min. from the front property line or in-line with the building façade, and 5-ft min. from any side property line
Height, Overall	14-ft above the finished grade (including supports).

Miscellaneous

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

A Freestanding Sign may not be used in addition to a Monument Sign.

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

Freestanding Signs may be internally or externally illuminated or backlit.

7.2.7: Freestanding Yard Sign



Description

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

Specifications

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

Miscellaneous

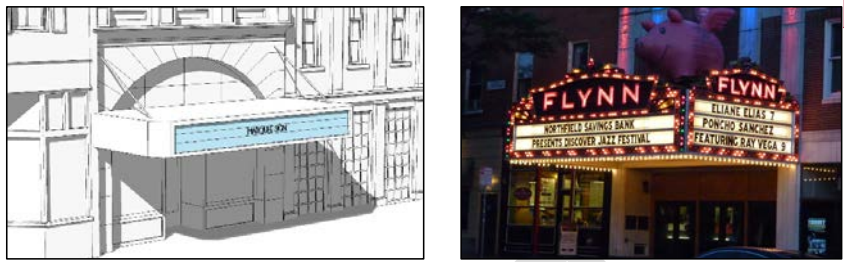
No part of a Freestanding Yard Sign may encroach upon a public right-of-way or overhang a driveway, parking area, or walkway.

A Freestanding Yard Sign may not be used in addition to a Monument Sign.

Freestanding Yard Signs may only be externally illuminated.

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

7.2.8: Marquee



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Description

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

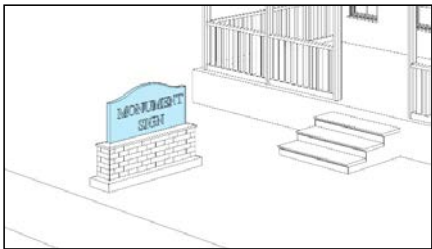
Specifications

Quantity	1 max. per primary street frontage.
Width	Width of the principal entrance plus 5-feet on each side max.
Projection	6-ft min.; 10-ft max. from the facade
Setback	No closer than 3-ft min. from the back of the curb
Area, Sign	75% max. of any face of the Marquee
Height, Clear	10-ft min. above the finished sidewalk
Height, Overall	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

Miscellaneous

- Marquees shall be allowed only for 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 a 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.

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

Miscellaneous

- No part of a Monument Sign may encroach upon a public right-of-way or overhang a driveway, parking area, or walkway.
- A Monument Sign may not be used in combination with a Freestanding Sign or Freestanding Yard Sign.
- If illuminated, a Monument Sign may 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 a manual or electronic changeable message where permitted.



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7.2.10: Outdoor Display Case



Description

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

Specifications

Quantity	1 per tenant max.*
Width	3-ft max.
Height	4-ft max.
Area	6-sf max.*
Depth/Projection	3-in max. 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 facade associated with the tenant.	

Miscellaneous

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

7.2.11: 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 “I”.

Specifications

Quantity	<u>1 per tenant per street frontage</u>
Area	<u>8 sf max</u>
Height	<u>4-ft max. above the finished grade</u>
Width	<u>3-ft max.</u>
Location	<u>• 15-ft max. from a principal entrance</u> <u>• no closer than 10-ft from a street intersection or crosswalk</u> <u>• no closer than 12-ft from another Sandwich Board</u>

Miscellaneous

A Sandwich Board shall not interfere with ingress and egress points and must maintain a minimum of 5-feet of sidewalk clearance 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 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.

7.2.12: Wall Sign



Description

This Sign type has a single face and is attached, painted, or otherwise mounted parallel to a building or structure wall.

Specifications

Height

No higher the floor level of the second story-which ever is less.

Area

- 2 sf per linear foot of street frontage max. associated with a first floor tenant.
- 10 sf max. 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 to which they are attached.
- A Wall Sign in any residential district shall not exceed 2-sf in area.
- A Wall Sign in a RCO-R/G district shall not exceed 20-sf in area.

Depth/Projection

12-in max. from the facade

Miscellaneous

A Wall Sign may not cover any windows or other architectural details of the building.

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

7.2.13: 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.

Specifications

Quantity 1 max. per first or second floor window and/or ground floor entry.

Area • 20% max. of the area of any individual window located between 4 and 7 feet above the adjacent sidewalk.
• total area may not exceed 30% of the total window area of all windows with signs combined per facade.

Height, Lettering 8-in max.

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.

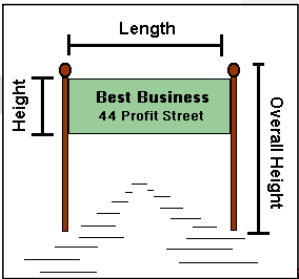
Window Signs in any Residential, RCO, or Urban Reserve district shall not be illuminated.

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.

the

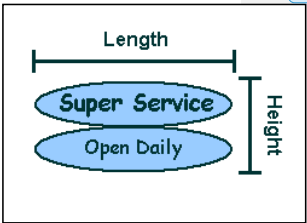
(a) ~~Freestanding Signs:~~
The height of freestanding signs shall be measured from the official street grade to the top of the light standard or supporting standard, whichever is higher. Only one freestanding sign is permitted for each separate street frontage devoted to an establishment. ~~A kiosk 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.~~

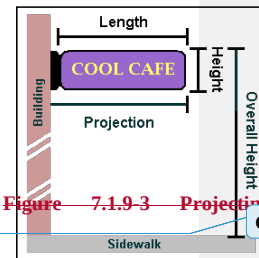
Commented [SG6]: This section talks a lot about kiosks in the ROW. Zoning does not pertain to that in any event. Toss it and simply wrap into freestanding Sign standards.

(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)



(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 Projection~~

Commented [SG7]: Put under prohibitions

(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.~~

(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 affixed directly on a building.

Commented [DEW8]: Most of this has been relocated before Sign Types

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.~~

Commented [DEW9]: relocated before Sign Types

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.
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.

Sec. 7.1.12 Electronic Message Display

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:

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.

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.

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

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.

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

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.

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

Commented [DEW10]: relocated before Sign Types

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. 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.

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

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

Main Street
North Avenue

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: DISTRICT REGULATIONS

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					
Sign Type	Dimensional Requirements	Zoning District ⁴			
		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	-

Table 7.2.1-1: Sign Regulation Summary

Sign Type	Dimensional Requirements	Zoning District ⁴			
		All RCO and Residential Districts	All Mixed Use and Institutional Districts	All Enterprise Districts	(Reserved)
Freestanding	Size	20-sf	1/2-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 (c)2D, or Sec. 7.2.4(c)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 the 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.

Commented [SG11]: Revamp. Content-based now.

(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.~~

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.~~

Commented [SG12]: Delete - content based.

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.~~
- ~~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.~~

Commented [SG13]: This language is redundant with general provisions earlier in the Article.

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.~~

Commented [SG14]: Kiosks within the Church Street Marketplace are within the public ROW and are not subject to zoning in any event. This current provision also controls the content of kiosk Signage.

- ~~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.~~

Commented [SG15]: Flags, temporary or otherwise, are exempt.

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, whichever 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 design quality, flexibility, compatibility, and creativity in larger buildings and building complexes with multiple tenants or 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 tenants or 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 by the DRB~~ submitted by the building owner and reviewed and approved ~~by the DRB~~ under the provisions of Sec. 7.3.4 below ~~and Article 6.~~

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 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:

- (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 on buildings.
- (e) Site plan indicating location of freestanding ~~sign~~Signs 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,

(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 individual signSigns in the an approved Master Sign Plan plan may vary from the dimensional and locational restrictions standards of Sections 7.2.3, 7.2.4, 7.2.5 and 7.2.6 in the typePart 2 of this Article pertaining to each Sign Type, -and placement of signs on a structure or lot,However, no individual signSign may exceed the size-maximum area limitations as perfor the specified Sign Type or be located on the roof, or project above the roof or parapet line, of a Building or Structure- Sec. 7.2.3(a)(3).

(e) Except for such variations approved by the development review boardDRB by acceptance of a Master Sign Plan master sign plan pursuant to this Article, all other requirements, permits, and restrictions regarding signSigns 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 SignSign 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 unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One nit is equivalent to one candela per square meter.

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, 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, which are visible from a public street thoroughfare or right-of-way ~~and used to attract attention.~~ (See Article 7)

Commented [DEW16]: Images and illustrations?
Expressly of a commercial nature?
What about murals and other "art"?

- (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 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.~~

- **#1: 196-198 Pearl** is a two-story mixed use building with street level retail and 3 rental apartments built close to or on the Frontage Line and the western side yard line. The building is non-conforming to the current standards of the RH district for encroachment into the front and side yard setbacks, and the non-residential uses are permitted as Neighborhood Commercial Uses given the age and format of the building type but are very restricted in how they can change to another use as they are not otherwise permitted in a residential zoning district.



With the exception of compliance with the minimum building height (3-stories), this is a good example of a Mixed-Use Building Type with a Sideyard Yard Type and a Shopfront Frontage Type meeting the development standards of FD5 as proposed. Including this property in FD5 provides greater consistency between the existing condition and the zoning requirements by eliminating the front and side yard non-conformities and enabling greater flexibility in the modification of the non—residential uses for this commercial building type.

- **#2: 200 Pearl** is a two-story residential building with 4 rental apartments set back substantially (~58-ft) from the Frontage Line. The building is non-conforming to the current standards of the RH district for encroachment into a side yard setback.



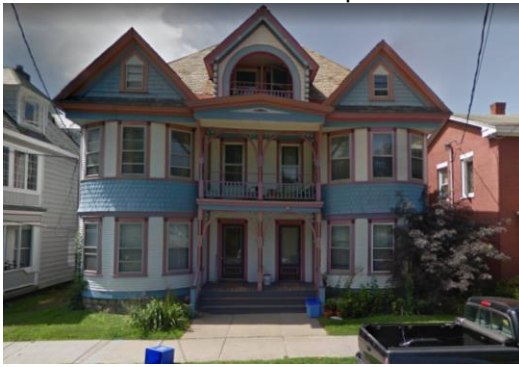
This is a good example of a Multi-Family Small Building Type with a Sideyard Yard Type and a Projecting Porch Frontage Type meeting the development standards of FD5 as proposed. Including this property in FD5 provides greater consistency between the existing condition and the zoning requirements by eliminating the side yard non-conformity.

- **#3: 8 Clarke Street** contains two, 2-story residential buildings with a total of 14 units. The buildings are non-conforming to the current standards of the RH district for encroachment into a side yard and rear setbacks, lot coverage, and density (units per acre).



With the exception of compliance with the minimum ground floor height, this is an example of a Multi-Family Large building type, with a Doorway Frontage Type, and Rear Yard Type. Including this property in FD5 provides greater consistency between the existing conditions the zoning requirement by eliminating the side yard and density non-conformities.

- **#4: 157-159 S Union** is a two-story residential building with 6 apartments built close to or on the Frontage Line and the northern side yard line. The building is non-conforming to the current standards for the RH district for encroachment into the front and side yard setbacks, and the number of units exceeds the permitted density.



This is an excellent example of a Multi-Family Small Building Type with a Rear Yard Type and an Integral Porch Frontage Type. Including this property in the FD5 provides greater consistency between the existing condition and the zoning requirements by eliminating the front and side yard and density non-conformities.

- **#5: 187-189 Church Street** contains two adjacent historic structures, each three stories, housing a 22-unit community house, built on or close to the Frontage Line and the side yard lines. The northern building is an example of a Mixed Use Building Type with a Shopfront Frontage Type. The southern building is an example of a Large Multi-Family Building Type with a Projecting Porch Frontage Type.



- **#6: 97 King Street** is a 10-unit residential building. The building is non-conforming to the current standards of the RH district for encroachment into side yards and lot coverage.



This is a good example of a Multi-Family Large Building Type with a combination of the Lightwell & Landing and Projecting Front Porch Types projecting into the First Lot Layer. Including this property in the FD5 provides greater consistency between the existing condition and the zoning requirements by eliminating the side yard non-conformity.

- **#7: 75 Maple Street** is a mixed use building with retail and 4 residential units, built on or close to the Frontage Line and side yard lines. The building is non-conforming to the current standards of the RM district for encroachment into the front and side yard setbacks, building height, and the non-residential uses are permitted as Neighborhood Commercial Uses given the age and format of the building type but are very restricted in how they can change to another use as they are not otherwise permitted in a residential zoning district.



The building is a good example of a Mixed Use Building Type with an Officefront Frontage Type meeting the development standards of Form District 5. Including this property in FD5 provides greater consistency between the existing condition and the zoning requirements by eliminating the front and side yard and height non-conformities and enabling greater flexibility in the modification of the non—residential uses for this commercial building type.

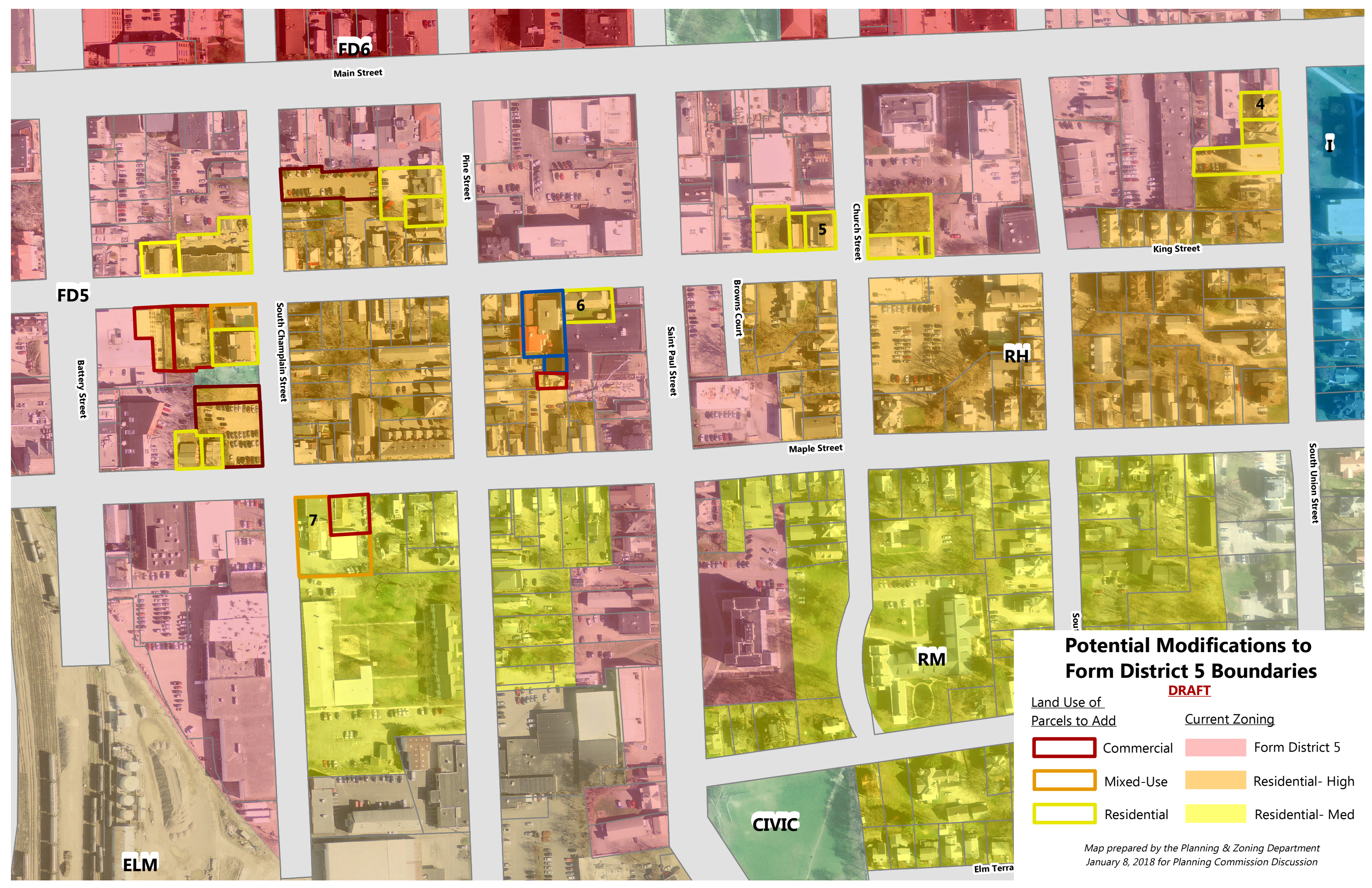


Potential Modifications to Form District 5 Boundaries

DRAFT

Land Use of		Current Zoning	
Parcels to Add			
	Commercial		Form District 5
	Mixed-Use		Residential- High
	Residential		Residential- Med

Map prepared by the Planning & Zoning Department
January 8, 2018 for Planning Commission Discussion



FD6

Main Street

Pine Street

Church Street

King Street

South Union Street

FD5

Battery Street

South Champlain Street

Saint Paul Street

Maple Street

RH

RM

CIVIC

ELM

Elm Terra

Potential Modifications to Form District 5 Boundaries

DRAFT

Land Use of
Parcels to Add

Current Zoning

	Commercial		Form District 5
	Mixed-Use		Residential- High
	Residential		Residential- Med

Map prepared by the Planning & Zoning Department
January 8, 2018 for Planning Commission Discussion

Burlington Planning Commission

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



Burlington Planning Commission **Tuesday, January 9, 2018, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **Minutes**

Board Members Present: A Montroll, H Roen, E Lee, E Dunn, A Friend, J Wallace-Brodeur
B Baker, Y Bradley
Staff Members: D White, M Tuttle, A Wade

I. Agenda

The meeting was called to order at 6:31pm. No changes to the agenda.

II. Public Forum

No members of the public were present to speak.

III. Report of the Chair

Nothing to report.

IV. Report of the Director

D White: Meagan is continuing to work on the Great Streets Project.

V. Proposed CDO Amendment: Article 7 Sign Regulations

D White: At last meeting, introduced sign regulations in general and preview of new sign regulations. Distributed first draft after review with staff and the City Attorney's office. Does not radically change the regulations themselves, but reorganizes Article 7, makes it more content neutral, and adds design standards. Signs are regulated through time, manner, and place; standards need to provide a content neutral message and a form-based perspective. Reviewed intent of the ordinance and purpose for regulating signs.

A Montroll: How does this relate to shopfront and visibility requirements of the new Form Based Code? Would like to look at interior signage in buildings and their visibility from outside.

E Lee: What about flags as holiday décor. What about flags that project off of structures, rather than flying on a pole? Really only allow one per lot?

D White: Regarding flags, receiving guidance from municipal lawyers pertaining to size and limit to the number of freestanding flags in the zoned district

M Tuttle: Some are used as holiday decorations, and decorations are exempt from the ordinance.

D White: Ordinance requires signs to be reviewed for interference with roadway and pedestrian activity. When placed in the public ROW, the review belongs to DPW. The courts have upheld off regulations on off-premise commercial signage, which is the basis of the state's billboard law. Commercial signs on vehicles are

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not regulated, unless when someone parks a trailer on the street for long time. Does not allow wind-blown signage, search lights. or outdoor projections.

H Roen: What about sign content which is offensive?

D White: We do not have a say in this.

A Montroll: This pertains to a free speech issue, not zoning.

D White: Typically, we regulate commercial speech. What the sign means may get challenged by others. There are size and number limits for commercial signs.

A Montroll: What about political and real estate signs? Would need to read them to know what they are.

D White: This does regulate estate signs and length of time they are displayed.

A Montroll: Seems that much of this doesn't have to do with zoning and would be hard to enforce.

Y Bradley: There is also case law about how winter months have an effect on signage such as realty signs.

A Montroll: What about signs inside windows? Why do we need to be concerned about this?

J Wallace-Brodeur: The screens in the Periwinkle's store windows are an example of signs that face outward and obscure view in.

D White: We need to decide what we really care about. We don't want to regulate inside signs unless they are close to the interior storefront window and obscure the view inside, which is required of the form based code.

Y Bradley: What is the difference between an establishment's signs inside and the Window Sign type?

D White: Interior signs need to be more than a foot away and not legible from the street.

Y Bradley: How are murals handled?

D White: It is art, and exempt from signage ordinance.

A Montroll: What about other examples like the ones pictured in the draft document that are projecting and non-conforming under the sign code?

D White: May be okay with keeping certain signs and codifying so that they don't become non-conforming and have to be removed if discontinued. Question is whether or we want projecting signs in the future.

E Lee: Like the projecting, moving signs.

M Tuttle: If these are permitted, this is where design standards come into consideration to ensure that signage has a certain character we expect, and isn't generic signage.

H Roen: Is there a height limit for signs?

D White: Different height limits for each type, but ultimately, no sign can be higher than the parapet. The highest height for sign is the second to third floor.

Y Bradley: Regarding illuminated signs, what is a nit?

D White: Do we want to allow for these types of signs? Nit is a unit of measurement of light.

E Lee: Perhaps the reason we don't like some signs is due to brightness. What is the equivalent of the allowable nit in lumens?

Y Bradley: Should use a term that is known to people and can be measured.

D White: Ordinance should include a brightness standard regarding laminated internal, external, or ground mounted. Will bring more detail for a future meeting. Provided additional detail on the form requirements for various types of signs and what zoning districts they are permitted in. The DRB can modify requirements.

B Baker: Should grandfathering signs be addressed? For example, the Leunig's building sign is non-conforming, but was changed from the previous establishment's name.

A Montroll: City of South Burlington changed their sign ordinance 10 years ago. No signs were grandfathered, and they gave non-conforming signage a time limit to change. Not sure that we need to do this.

E Lee: The sign ordinance seems too strict. Signage on Church St, College Street are small. Signage can be artful and beautiful, and is essential to wayfinding. There are opportunities for signs on the sides of buildings, and we should not over regulate.

Y Bradley: Regarding iconic signs, don't know why we wouldn't want more of those in the future.

A Montroll: We don't want to go to extremes, but I think the current ordinance is too limiting. We want to be careful about what we regulate inside a building and be clear about commercial vs non-commercial signage, obviously with less restriction on non-commercial signage. If we identify what the problems are and fix those, in the long run we have a better ordinance that is more likely supported by the courts.

E Lee: Would like to see sign size that's permitted double.

B Baker: Concerned about putting people through the permitting process having to go to two different locations for permits, which may be the reason why so many permits are outstanding permits.

A Friend: Agree that the detail of the sign ordinance is overly restrictive.

D White: understands Commission is looking for a sign ordinance that is more permissive to allow for multiple sign types and flexibility, but still asking the question why it should be this way.

A Montroll: Continue discussion on a future agenda.

VI. Proposed CDO Amendment: FD5 Boundaries

A Montroll: Due to timing, defer discussion of this item to a future meeting.

M Tuttle: Introduced a map of potential boundary changes based on deferred discussion of the Joint Form Based Code committee and request from owners and operators of the music store on Maple Street. Asked Commission members to review the information and bring suggestions to the next meeting.

VII. Committee Reports

A Friend: The Ordinance Committee met to discuss updates to Article 3.

VIII. Commissioner Items

M Tuttle: Eamon has volunteered to keep the Commission informed of the school board's discussions of the future of Burlington High School.

D White: Two more Planning Commission meetings in January, including a joint meeting with other boards.

IX. Minutes & Communications

A Montroll: Correct second paragraph on page 3, by replacing 'commercial signs' with 'non-commercial signs' to portray intent of statement.

The Commission unanimously approved a motion by A Friend, seconded by J Wallace-Brodeur, to approve the minutes of December 13, 2017 as corrected.

X. Adjourn

The Commission unanimously approved a motion by H Roen, seconded by E Lee, to adjourn the meeting.



Andy Montroll, Chair

Signed: January 23, 2018



Anita Wade, Planning Commission Clerk