

Town of Falmouth

Permanent Signs – Amendments to the Code of Ordinances - Introduction April 12, 2017,

Reintroduction May 8, 2017

Presented by the Community Development Committee

Language is red is for explanatory purposes only.

Chapter 19, Zoning and Site Plan Review Ordinance

Div. II-19-1-2 Definitions

BP Freestanding Sign: A sign in the Business Professional District that is supported by one or more uprights or braces permanently affixed in the ground. [Adopted 4/11/16] will be the same as Freestanding Sign

Sign: An object, device, display or structure, or part thereof consisting of the combination of the sign supporting structure and the sign display area, visible to the public and outside of a building, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. [Amended 1/24/11]

- a. ~~Advertising Sign: A sign that directs attention to a business, or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located. [Adopted 1/24/11] content based~~
- b. **A-Frame Sign:** A portable sign composed of two surfaces of the same size and attached on one side so that the sign is hinged and can be easily placed or removed on the ground by one individual. [Adopted 5/26/09] used by Chapter 8, Temporary Signs.
- c. **Off-premise Sign Billboard:** A structure designed, intended or used for advertising a product, property, business, entertainment, service, amusement or the like, and not located where the matter advertised is available or occurs. ~~An off-premise sign billboard is deemed not to be a sign as otherwise defined herein.~~ term more commonly used
- d. ~~Bulletin Board: A sign in connection with any church, museum, library, school or similar public structure which includes general announcements of events or activities occurring at the institution, or a similar type message. [Adopted 5/30/12] content based~~
- e. **Directional Sign:** A free standing or wall mounted n-unofficial or non-standard traffic control sign located on private property, containing no commercial message except logos, intended to direct or regulate the movement of traffic to protect public safety and/or pedestrians. This includes, but is not limited to, 'enter', 'exit', 'drive through', and directional arrow signs. These signs may be freestanding or mounted on a building. [Adopted 5/13/13]
- f. **Free Standing Sign:** A sign supported by one (1) or more uprights or braces permanently affixed into the ground. ~~(not applicable to the Business Professional (BP) District)~~ [Amended 4/11/16] will apply town wide
- g. **Fuel Pump Canopy Sign:** A sign affixed to the vertical plane of a roof covering fuel pumps. [Adopted 5/13/13]
- h. **Marquee Sign:** A sign affixed to a marquee. [Adopted 5/13/13]
- i. **Portable Sign:** A sign not designed or intended to be permanently affixed into the ground or to a structure.
- j. ~~Projecting or Blade Sign Sign-~~ A sign that is wholly or partly dependent upon a building for support, projects more than 12 inches from the wall and whose sign faces are perpendicular to

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the wall on which it is mounted. [Adopted 5/13/13] some signs could be narrower than 12 inches.

- k. ~~Subdivision Identification Sign: a sign designed for the sole purpose of identifying a residential property or development as per Section 19-46, located at the primary entrance to the site.~~[Adopted 1/24/11][Amended 5/30/12][Amended 4/11/16] content based
- l. Roof Sign: A sign located upon or over a roof of a building.
- m. Temporary Sign: A sign designed, intended to be displayed or displayed for a limited period of time.[Amended 1/24/11, 5/30/12]used in Chapter 8, Temporary Signs
- n. ~~Tenant Directory Sign— A sign fixed to a wall adjacent to an entrance of a building whose content is a list of tenants and their location within the building.~~ [Adopted 5/13/13] content based
- o. Wall Sign: A sign attached to, supported by, or projecting from a building wall, awning, canopy or part thereof and for which message is parallel to the wall on which it is attached. ~~Wall signs shall not project more than twelve inches beyond the roof edge or the face of the wall, awning or canopy to which they are mounted.~~ [Amended 1/24/11] [Amended 5/13/13] struck language moved to section on wall signs.
- p. Projecting Sign: A sign which is attached to and projects perpendicular from a building wall or other structure or a sign hanging from a projected roof. [Adopted 02/27/12] duplicate definition

Sign Area: ~~The rectangular area of the sign containing all written and graphical content, measured as the smallest height and width dimensions that include all content and excluding any supporting structure such as a stone wall. (Applicable to property identification signs)~~ [Adopted 1/24/11] repetitive with Sign Display Area

Sign Display Area or Display Area: The total area of one face of a sign, excluding supporting structures and the area containing the street number or address. ~~For freestanding signs composed of two surfaces of the same size only one side of display area is measured for purposes of calculating allowable maximum display area. (Not applicable to property identification signs)~~ [Adopted 1/24/11][Amended 5/30/12] measurement of sign display area is now under 19-44.

Sign Refacing or Refacing: The replacement of the sign display area, or a portion ~~thereof, of sign content~~ such as a sign panel. [Adopted 1/24/11] modified to use current terminology.

Sign Supporting Structure: The portion of a sign consisting of materials not included in the sign display area. ~~, such as a stone wall or fence.~~ [Adopted 1/24/11] [Amended 05/30/12] modified to use current sign terminology

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Sec. 19-11.5.9 (VC1, VC2, and VCC) Signage—Buildings shall be marked with attractive, legible signs that ~~reflect the needs of the individual businesses and~~ complements the architecture and site detailing. Permitting of signs shall be as required in Section 19-44 of this ordinance except where provisions for permitting are noted in this section.

1. All buildings shall display the **street** number on the **primary façade**. The full street address may be displayed. The number or address must: a) be a minimum of 4.5 feet from the ground; b) have lettering a minimum of five inches in height; and c) have lettering a contrasting color with the surface on which it is mounted.
2. Freestanding Sign ~~Freestanding signs are designed primarily for motorists to gain entry to off street parking.~~
 - a. Quantity
 1. VC1 ~~and VCC~~ - One sign only is permitted at each intersection of an **internal drive** with a public street and at the intersections of a commercial driveway with a public street or an internal street. Signs may be placed in the ROW with the permission of the **Town**. No more than one sign is permitted for each public **street frontage**.
 2. VC2 - No more than two signs per **lot** per street or internal drive frontage. A minimum separation of 100 feet shall be maintained between all signs, measured along the abutting right of way or edge of an internal drive.
 3. **Letters and Characters** shall be a **minimum of five** ~~and a maximum of 15 inches~~ in height.
 - b. Area
 1. VC1 ~~and VCC~~ - Maximum size is 64 square feet.
 2. VC2 - Maximum size is 100 square feet.
 - c. Height – Total height measured includes all framing and posts.
 1. VC1 ~~and VCC~~ - Maximum height is 12 feet
 2. VC2 - Maximum height is 16 feet
 - d. ~~Signs may include a tenant directory.~~
 - e. ~~Each sign or sign panel is limited to the business name with a logo. Phone numbers and advertising information such as products, goods and services are prohibited.~~
 - f. ~~The street name and number may be displayed.~~
 - g. Simple geometric shapes are required.
3. Projecting/~~blade~~ Sign ~~(VC1, VC2 and VCC) – Signs are designed for pedestrians.~~
 - a. May be projected over the public right of way with **proof certificate** of insurance **naming the Town of Falmouth as an additional insured.**
 - b. May be mounted on the first and second **story** only.
 - c. Maximum size of 9 square feet.

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- d. Shall be a minimum of clear 8 feet above the sidewalk, measured from the lowest point of the sign.
- e. Limited to one per building frontage for each business tenant on the first-floor frontage.
4. Canopy, gas station (VC1, VC2)- Signs are limited to two faces of the canopy and a maximum of 16 square feet on any one canopy side.
5. Wall Sign (VC1, VC2 and VCC)
 - a. Wall signs shall be incorporated into the façade of the building and shall not obscure architectural details. Signage shall be mounted on vertical surfaces without projecting above the fascia trim.
 - b. Wall signs are limited to two per business, with one located on the primary façade and one other on the side or rear façade.
 - c. Wall signs shall be a minimum of eighteen inches (18”) from the edge of a vertical wall.
 - d. Maximum size shall not exceed 64 square feet.
 - e. Maximum The gross display area of wall signages shall not exceed ten percent (10%) of the wall area to which they are it is attached.
 - f. Letters and Characters shall be a minimum of five and a maximum of 15 inches in height.
6. Marquee Sign (VC1 and VC2)
 - a. Permitted for performing arts center, auditorium, sports facility or cinema use only.
 - b. Manual reader boards are permitted.
 - c. Sign area shall be included as part of the calculation of wall area in Section 19-11.5.9.5.e.
 - d. Quantity – The sign may occupy all faces of the marquee.
 - e. Maximum size – 64 square feet
 - f. Letters and Characters shall be a minimum of five and a maximum of 15 inches in height.
7. Tenant Directory – Tenant directory signs shall be affixed to the wall adjacent to any customer entrance and are designed to be pedestrian oriented.
 - a. The name/address of the property and the individual tenant panels shall be coordinated in color and style.
 - b. The sign shall be located in an area between 3 and 8 feet in height on the building wall
 - c. Maximum size – 12 square feet.
8. Materials for all signs shall be limited to matte or dull finishes, except for lettering and accent gilding.
9. Directional signs are discouraged permitted, except where necessary for maintaining traffic flow public safety on to and within the site. Where located, the display area of a directional sign shall not exceed two square feet and free standing signs the total sign height shall not exceed 4 feet in height. Content shall be limited to directional text such as “enter”, “exit”, “drive-thru” or the like. Logos are limited to twenty-five percent (25%) of the sign face. Signs shall be reviewed

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under Section 19-127 as part of Planning Board Site Plan Review or Minor Site Plan Review as required.

10. Nonconforming signs may be maintained in their current configuration and location. Content may be altered with approval from the Community Development Director or their designee. The **Code Enforcement Officer** may approve the relocation of a nonconforming sign provided that the relocation does not increase the nonconformity of the sign.
11. Electronic and manual reader boards are expressly prohibited except as provided for in Section 19-11.5.9.6 above. Existing nonconforming reader boards may be maintained but may not be altered or replaced.
12. No signs are permitted above the second story, including signs in windows, with the exception that a wall sign, limited to the business or building name and one logo, is are permitted on the third or fourth story.
13. Bulletin board signs may be located for a place of worship, private school, or municipal use.
 - a. Types – freestanding (VC2 and VCC only) or wall
 - b. Size – maximum of 24 square feet
 - c. Height – maximum of 6 feet
14. Signs sponsored by products with the product brand or name displayed on the sign are prohibited.
15. No sign shall have visible moving parts or consist of banners, ribbons, streamers, spinners or other similar devices.
16. No off premise sign, including business directional signs as defined in 23 MRSA §1903, shall be **erected** in a VC District, other than as allowed under Section 19-11.5.9.2 above.
17. Externally Lit Signs
 - a. Illumination level on the vertical surface of the sign shall be bright enough to provide a noticeable contrast with the surrounding building or landscape without causing undue spillover and glare.
 - b. Lighting fixtures illuminating signs shall be top mounted where possible and aimed and shielded so that light is directed only onto the sign facade.
 - c. Outlining signs is prohibited.
18. Internally Lit Signs
 - a. Internally lit signs shall consist of light lettering or symbols on a dark background. Letters and symbols shall constitute no more than 40% of the surface area of the sign.
 - b. Internally lit individual letters and symbols are preferred over whole panels that are internally lit.
 - c. Signs may be illuminated only during such hours as the establishment is open to the public.

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Sec. 19-15 Route 100 Corridor Overlay District (CO) [Amended, 7/22/91]

5. Notwithstanding the provisions of subsection 19-44 to 19-52, signs within the Overlay District shall be governed by the following additional requirements: All sign provisions are now in the sign sections.

- a. The maximum size of freestanding advertising signs shall be 48 sq. ft.;
- b. The maximum number of freestanding signs per lot shall be one; and
- c. The maximum height of freestanding signs shall be twelve (12) feet.

Sec. 19-19.3 Master Development Plan Sign Controls (West Falmouth Crossing)

The number, size and location of signs shall conform to the requirements set forth in this ordinance, unless a Master Development Plan has been approved. If a Master Development Plan has been approved by the Town Council, the provisions of Section 19-15, Route 100 Corridor Overlay District (CO), as well as Sections 19-44 through 19-53 of this Ordinance shall not be applicable insofar as they relate to number, size and location of signs in the area covered by the approved Master Development Plan. The Planning Board may approve signage for a parcel within an approved Master Development Plan if it finds that the proposed signage in terms of number, size and location is consistent with the Exit 10 Design Guidelines. [Amended, 5/27/99; 6/15/09] sign provisions in the CO section of the ordinance are proposed to be removed.

Sec. 19-21.8 Design Elements (RCOD – OVRC – AVRC)

The design of the retirement community shall reflect an overall sense that the entire community is part of a single development with a pedestrian friendly, neighborhood scale. As such, the buildings shall convey a common character but need not be similar in either design or scale. In general, high intensity, high traffic uses and core facilities should be sited in central locations within the community where feasible, with lower intensity uses on the perimeter.

- a. Common elements such as signs, lighting, and site furniture and improvements should be used where practical to establish a sense of community.
- b. Where appropriate, provisions for pedestrian linkages should be made to bring the elements of the retirement community together.
- c. Notwithstanding Section 19-46.g, the Planning Board may approve off premise signs provided a master sign plan for the District is approved by the Planning Board. The master sign plan shall provide for compatible design elements such as color, form, materials and lighting. All signs shall comply with 23 M.R.S.A. Chapter 21, Maine Traveler Information Services.[Amended 5/30/12]

Sec. 19-23.6 Master Development Plan Sign Controls (Tidewater)

The Master Development Plan shall include an overall design concept for signage within the Tidewater development. The signs in each phase of the development shall conform to this overall

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concept. The number, size and location of signs shall conform to the requirements set forth in Sections 19-44 through 19-52 of this Ordinance unless specific deviations from these requirements have been approved as part of the Master Development Plan. **No Changes.**

Sec. 19-24.3. Conditions and Standards for Zone Change to MRSD.

- J. Signage – A comprehensive signage plan shall be part of any site plan approval. Existing advertising signs documented under paragraph B. above may be used in their current location and configuration. The Planning Board may permit reductions in size, or a change in location or configuration provided the redesigned sign conforms to the Route One Design Guidelines. No internally lit signs are permitted. Number and dimensions of additional signs are regulated as in the Residential – B – (RB) District. **make content neutral and fix reference to RB district**

Sec. 19-25.7 Master Sign Plan (ESRD)– Any permanent sign installed within the District shall be depicted on a master sign plan as approved by the Planning Board. The master sign plan shall be in accordance with Sections 19-44 – 19-52 and shall provide for compatible design elements such as color, form, materials and lighting. **No Changes**

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Sec. 19-34.1 Roadside Stands [Adopted 02/27/12]

9. ~~Permanent Signs – One two square foot wall or projecting sign. Permanent signs are exempt from Section 19-46.n. but shall not extend beyond lot lines.~~
-

Sec. 19-44 Permanent Signs - General Provisions [Amended 5/26/09][Amended 1/24/11, 05/30/12]

- A. Purpose. The purpose of regulating signs is to promote and protect the public health, welfare and safety by regulating ~~existing and proposed outdoor advertising, outdoor advertising signs, and~~ outdoor signs of all types; to protect property values, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty and provide a more enjoyable and pleasing community; to reduce ~~driving sign or advertising~~ distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public right of way, ~~provide more open space and~~ curb the deterioration of natural beauty and community environment and to promote Falmouth as a distinctive community. ~~remove language that is content based.~~
- B. Sign Permits. After the effective date of this ordinance and except as otherwise herein provided, no person shall erect or move any signs without first applying for and obtaining a sign permit. Applications shall be on forms prescribed and provided by the town setting forth such information as may be required for a complete understanding of the proposed work. Signs requiring an approval from the Planning Board or Community Development Director must in addition obtain a permit from the Code Enforcement Officer ~~Building Official~~ prior to installation. [Amended 1/24/11] ~~use correct staff title.~~
1. Signs permitted by the Code Enforcement Officer ~~Building Inspector~~. [Adopted 1/24/11]
 - a. [Repealed 05/30/12]
 - b. Signs not otherwise requiring approval by the Planning Board or Community Development Director.
 - c. Refacing of any existing sign in any district other than those listed in 3(c) below. [Adopted 5/30/12]
 2. Signs requiring Planning Board Approval. [Adopted 1/24/11]- Submittal requirements shall include such information referenced in Sections 19-128.a (4) and 19-133.e. of this ordinance.
 - a. Any new sign in excess of twenty (20) square feet of display area.[Amended 5/30/12]
 - b. Any new sign located in ~~the~~ BP, VC1, VC2, VCC, OVRC, AVRCTWMP, WFCMP, or CO Districts, or any Special district. [Amended 5/13/13] ~~Special districts include WFC, TW, VP, HTD, MR and GR. All of these districts have special design standards for signs.~~
 - c. ~~Subdivision Identification Signs~~. content based
 3. Signs requiring approval by the Community Development Director or the Director's designee. [Adopted 1/24/11] - Submittal requirements shall include the information referenced in Sections 19-128.a (4) and 19-133.e. and any other requirements as may be deemed necessary by staff for a complete understanding of the proposed work.
 - a. Replacement ~~or alteration~~ of signs equal to or less than twenty (20) square feet of display area in the BP, VC1, VC2, VCC, TMPDD, WFCMPDD, or CO District, or any Special District. [Amended 5/13/13] ~~clarify~~
 - b. Replacement ~~or alteration~~ of signs equal to or less than twenty (20) square feet of display area previously approved by the Planning Board.
 - c. Refacing of any existing sign in the BP, VC1, VC2, VCC, TWMP, WFCMP or CO Districts, or any Special District [Amended 5/13/13] ~~clarify~~

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- d. Any new sign equal to or less than twenty (20) square feet of display area in the VC1, VC2 and VCC Districts. [Added 8/26/13]
- 4. Permit Fees. No sign permit application shall be processed issued until the prescribed fee has been paid as established by the Town Council. [Amended 8/27/07] clarify when the fee must be submitted.

~~C. Maintenance and Conformance of Signs. No sign shall be erected or altered except in conformity with the provisions herein. The sign must be kept clean, neatly painted and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or constitute a distinction distraction or obstruction that may contribute to traffic accidents. correct vocabulary.~~

~~D.C.~~ General Safety Standards for Signs. No sign, whether new or existing, shall be permitted that causes a sight, traffic, health or welfare hazard, or results in a nuisance, due to illumination, placement, display, or manner of construction.

~~E.D. Exemptions Exceptions.~~ change section to be Reed compliant.

- ~~1. or to "name signs" not exceeding one (1) square foot in display area identifying occupants of the premises where such sign is located.~~
- ~~2.1.~~ Governmental signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulation
- ~~2.~~ Street numbers and addresses as assigned by the Town.
- ~~3. Street name signs as regulated under Chapter 7, Appendix 7-5. Subdivision Ordinance.~~

~~F.E. Design Guidelines. Any sign located in the BP, MRSD, TWMP WFCMP, TWMP, HT, CO, MRSD, VMU, MUC or GR or MUC, District shall comply with the applicable design guidelines as noted in the table below. [Amended 5/13/13] add table to clarify what design guidelines apply to what districts. Districts not listed do not have any restrictions on materials or style with the exception of VC Districts which are regulated under Section 19-11.5.9~~

Table 19-44 G. Design Guidelines Review - Signs	
District	Design Guidelines
<u>BP, MRSD</u>	<u>Route One Design Guidelines</u>
<u>TWMP</u>	<u>Tidewater Village and Tidewater Farm Design Guidelines</u>
<u>WFC, CO, VMU, MUC, GR</u>	<u>Exit 10 Design Guidelines</u>

- G. Measurement of Signs. clarify how sign components are measured.
 - 1. Sign Display Area. Sign display area shall be measured as the square footage of the smallest rectangular area containing all letters, characters and numbers. For freestanding signs where the two faces of the signs are not viewable at the same time, only one face shall constitute the display area.
 - 2. Sign Height - Sign height shall be the height of the sign as measured from the average elevation of the original ground to the highest point of the sign supporting structure or sign display area. In cases where sign display area is incorporated into a fence or wall, the total sign height will be measured to the top of the sign display area.

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3. Sign Length - Sign length shall be the horizontal dimension of the sign display area.

Sec. 19-46 Regulations Applicable to Permanent Signs [Amended 5/26/09; 1/24/11; 5/13/13; 4/11/16]

The following provisions relating to permanent signs are applicable in all districts except where otherwise noted. Signs within the VC Districts are regulated under Section 19-11.

~~Signs identifying the name, address, and profession of a permitted home occupation or a lawfully existing nonconforming home occupation are allowed provided such sign does not exceed two (2) square feet of display area, is non-illuminated, and is mounted flat against the wall of the principal building.~~ [Amended 1/24/11] content based, now part of wall and free standing sign provisions

- a. **Prohibited signs and sign components.** new section combining all prohibitions
1. No sign shall project over a public right of way only signs allowed to project over a public right or way are projecting signs in the VC Districts
 2. No billboards or other off-premises signs, including official business directional signs as defined in 23 MRSA, subSection 1903, shall be constructed, erected, or maintained in any district, except as expressly permitted by the terms of this Ordinance. [Amended 5/30/12] no change from current ordinance other than using more accepted term of "off-premise" sign, Reed decision provided for regulation of off-premise signs and determined them to be content neutral. BP and VC districts allow off-premise signs in certain circumstances.
 3. No sign shall be erected in a floodplain. added from below
 4. No portable or roof signs shall be permitted unless otherwise specified. [Amended 5/26/09] added from below
 5. No sign shall have visible moving parts, blinking, moving or glaring illumination, or any part consisting of banners, pennants, ribbons, streamers, spinners or other similar devices. added from below
 6. A string of lights shall not be used for the purpose of advertising or attracting attention unless as an integral part of a permitted sign. added from below
- b. ~~A bulletin board or similar sign in connection with any church, museum, library, school or similar public structure is allowed.~~ content based
- e.b. Sign Materials - For signs in districts that are not governed by design guidelines, signs shall be made of natural materials such as stone, brick or wood or materials that mimic natural materials. added was required for subdivision identification signs, would apply to residential districts (RA, RB, RC, RD, HL, portions of FF that are not in the CO.)
- d. No sign shall project over a public right of way. prohibited signs
- e. No sign shall have visible moving parts, blinking, moving or glaring illumination, or any part consisting of banners, pennants, ribbons, streamers, spinners or other similar devices. prohibited signs
- f. A string of lights shall not be used for the purpose of advertising or attracting attention unless as an integral part of a permitted sign. prohibited signs
- g. ~~Any sign which no longer advertises a bona-fide business conducted, product sold, activity or campaign being conducted, or public notice, shall be taken down and removed by the owner,~~

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~~agent or person having the beneficial use of the building or premises upon which such sign may be found within ten (10) days after written or personal notification from the Building Inspector. [Amended 5/30/12] staff recommend striking this language~~

~~h. No billboards or other off premises signs, including official business directional signs as defined in 23 MRSA, subsection 1903, shall be constructed, erected, or maintained in any district, except as expressly permitted by the terms of this Ordinance. [Amended 5/30/12] prohibited signs~~

c. Directional signs are permitted where necessary for maintaining public safety on to and within the site. The display area of a directional sign shall not exceed two square feet and free standing signs shall not exceed 4 feet in height. Content shall be limited to directional text such as "enter", "exit", "drive-thru" or the like. Logos are limited to twenty-five percent (25%) of the sign face. Signs shall be reviewed under Section 19-127 as part of Planning Board Site Plan Review or Minor Site Plan Review as required.

~~i. Directional signs placed at driveway locations solely indicating ingress and egress, containing no advertising material, having a display area not exceeding three (3) square feet, and not extending higher than seven (7) feet above ground level, are permitted. remove and add to exempt signs~~

d. Nonconforming Signs. Nonconforming signs may continue but may not be altered or relocated on the same premises without approval by the Board of Zoning Appeals as a conditional use. Nonconforming signs located within the public right of way shall not be permitted to be altered or relocated within the public right of way. [Adopted 4/27/87] Alterations are approved by staff or the Planning Board.

j.e. Signs located in HT, VP and GC shall conform to the requirements in Section 19-11.5.9.

HT and VP were carved out of the VC districts and GC is an overlay district in VC1.

~~k. Identification signs indicating the location of, or direction to, a separate function performed within one portion of that building may be erected over or by the doorway or entrance to such portion of the building. The sign display area shall not exceed ten (10%) percent of the area of such doorway or entrance to such portion of the building. [Amended 5/30/12] these are in essence tenant directory signs and are content based, will be combined with allowance for wall signs.~~

~~l. No sign shall be erected in a floodplain. prohibited signs~~

~~m. [Repealed 5/30/12]~~

~~n. No portable or roof signs shall be permitted unless otherwise specified. [Amended 5/26/09] prohibited signs~~

~~o. Minimum lot line setbacks for all signs shall be fifteen (15) feet unless otherwise specified. move to free standing sign table, for wall signs they are allowed on buildings whether or not conforming.~~

~~p. Maximum gross display area of wall signs shall not exceed ten (10%) percent of the wall area to which it is attached. moved to wall sign table~~

~~q. Subdivision Identification Signs – Subdivision Identification Signs shall be regulated by the following requirements: [Adopted 1/24/11][Amended 4/11/16; 1/09/17] will be part of freestanding sign table, the specific requirements for these signs, such as height to width ratio and setbacks have to integrated in with freestanding signs.~~

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1. ~~Districts allowed — Signs are permitted in RA, RB, RC, RD, HL, TWMP and FF Districts and are limited to subdivisions approved by the Planning Board.~~ will now be allowed in any district that allows a freestanding sign, adding the allowance for one freestanding sign per lot in all residential districts.
2. ~~Setbacks~~
 - a. ~~Sign Area — The entire sign area shall be located between 0 and 15 feet from a public street right of way, however, the sign area may be located within the right of way of a private street.~~ have reduced front setbacks for all freestanding signs to 0.
 - b. ~~Supporting Sign Structure~~
 - i. ~~Front Lot Line — No setback required.~~ see above
 - ii. ~~Side property lines — Minimum of 5 feet from any lot line shared with an adjacent lot outside of the subdivision.~~ current draft requires a 10 foot side setback.
3. ~~Location — Signs may be located at each entrance.~~ goes away.
4. ~~Sight Distance — The sign must be designed to provide adequate sight distance for exiting traffic as determined by the permitting authority.~~ moves to general requirements for freestanding signs, Sec 19-50
5. ~~Type of Sign — Signs may either be a free standing sign or be incorporated into a wall or fence made of materials such as stone, brick or wood.~~ moved to general requirements
6. ~~Dimensions~~
 - a. ~~Overall Height including supporting structure shall not exceed six (6) feet above natural ground. Height shall be measured as an average height from the original elevation to the top of the structure.~~ height will be dependent on the district sign is located
 - b. ~~Height to Width Ratio — All signs shall be oriented horizontally with a height equal to or less than the width.~~ moved to general provisions for free standing signs
 - c. ~~Letter size shall be between five (5) and fifteen (15) inches in height.~~ moved to free standing sign table
7. ~~Number — No more than two signs are permitted per entrance and shall be located on opposite sides of the driveway or street.~~ now regulating number of signs per lot
8. ~~Total size one face — The maximum sign area shall not exceed 24 square feet. The sign area of the street number and name is exempt from the total sign area.~~ sign size moved to 19-50, exemption for street address under 19-44
9. ~~Design Style — Signs shall meet the requirements of the Route One Design Guidelines, except for signs in TWMP the signs shall comply with the Tidewater Village Design Guidelines.~~

~~Sec. 19-47 Maximum Size of Freestanding Signs (square feet of display area) [Amended 05/30/12, 04/11/16]~~ This entire section to be repealed, but is being used for comparative purposes. It indicates the new sizes in red.

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Type of sign	F	RA, & RC HL	RB, RD	MUC & VMU	CO
Bulletin Board	24 6	24 4	24 4	24 48	24
Home Occupation	2 6	2 4	2 4	- 48	2
Advertising	16 6	- 4	- 4	100 48	48

With Reed, we cannot differentiate between content based types of signs in districts. Numbers in red are the new proposed numbers. These are now displayed in Sec. 19-51.

NOTE: The CO district encompasses most of both the MUC and the VMU districts.

~~Sec. 19-48 Maximum Size of Wall Signs (square feet of display area) [Amended 05/30/12; 5/13/13; 04/11/16]~~ This entire section to be repealed, but being used for comparative purposes. It indicates the new sizes in red.

Type of sign	F	RA, RB & RC, HL	RB - RD	MUC & VMU	CO
Bulletin Board	24 12	24 6	8	24 48	24
Home Occupation	2 12	2 6	8	- 48	-
Advertising	50 12	- 6	8	100 48	48

With Reed, we cannot differentiate between content based types of signs in districts. Numbers in red are the new proposed numbers. These are now displayed in Sec. 19-51.

NOTE: The CO district encompasses most of both the MUC and the VMU districts.

~~Sec. 19-49 Maximum Number of Freestanding Signs Per Lot [Amended 05/30/12; 05/13/13; 04/11/16]~~ This information is now in 19-50

<u>District</u>	<u>Permanent</u>
F	1
RA, RB & RC	1
MUC & VMU	2
CO and ESRD	1
RCOD	Determined by the Planning Board

~~Sec. 19-50 Free-Standing Signs—Other Requirements [Amended 1/24/11; 5/30/12; 5/13/13; 04/11/16]~~

Unless otherwise provided, free standing ~~advertising signs in the CO, ESRD, RCOD, MUC, TMPDD, WFCMPDD and VMU districts~~ shall conform to the following ~~provisions with the exception of signs in VC1, VC2 and VCC which are regulated under Sec. 19-11.5.9.~~

- a. BP District off-premise allowance. Where access to a lot is provided by an off-site driveway, one sign may be placed off-site provided that the sign is wholly located within 80 feet of the intersection between each edge of the driveway and the front lot line of the lot on which the off-site driveway entrance is located.

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- b. Sight Distance– The sign must be designed to provide adequate sight distance for exiting traffic as determined by the permitting authority.
- c. Signs incorporated in a wall or fence. – Fences or walls may be utilized as a sign supporting structure, and are exempt from total sign height.
- d. Height to Width Ratio – All signs located in areas that are not governed by design guidelines shall be oriented horizontally with a height equal to or less than the width.

~~Minimum distance between signs one hundred (100) feet.~~ in table below

~~BP Freestanding sign.~~ combined with all freestanding signs.

~~BP freestanding signs as defined by this ordinance shall be governed by this section. Signs under this section shall be subject to the requirements in Section 19-44. All requirements in 19-46 shall apply for purposes of administering this section except for a., b., n., o. and p.~~ in table below

~~Number of signs per lot.—There shall be no more than two signs located on any lot.~~ in table below

~~Setbacks.~~

~~(1) Setback to side and rear property lines—minimum of 15 feet.~~ in table below

~~(2) Setback to front property line—zero feet.~~ In table below

~~Height. Signs shall be no greater than 12 feet. Height shall be measured as an average height from the original elevation to the top of the structure.~~ In table below

~~Size. The total sign display area shall not exceed 64 square feet.~~ in table below

~~Letter size. Letters or numbers shall be a minimum of five inches in height.~~ in table below, added maximum character height.

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<u>Table 19-50 Free-standing Signs*</u>							
<u>Standard</u>	<u>Residential Districts</u>		<u>Non-Residential Districts</u>				
	<u>RA-RB RC-RD - HL</u>	<u>FF</u>	<u>BP</u>	<u>VMU- MUC GR</u>	<u>RCOD OVRC AVRC ESRD</u>	<u>ESRD</u>	<u>TW WF</u>
<u>Number per lot</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>PB</u>	<u>MP</u>	<u>MPDG</u>
<u>Maximum size (square feet of sign display area)</u>	<u>4</u>	<u>6</u>	<u>64</u>	<u>48</u>	<u>PB</u>	<u>MP</u>	<u>MP/DG</u>
<u>Maximum height (feet including sign support structure)</u>	<u>6</u>	<u>6</u>	<u>12</u>	<u>12</u>	<u>12</u>	<u>MP</u>	<u>12</u>
<u>Maximum length (feet)</u>	<u>4</u>	<u>6</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>MP</u>	<u>16</u>
<u>Minimum character height (inches)</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>DG</u>	<u>PB</u>	<u>MP</u>	<u>DG</u>
<u>Maximum character height (inches)</u>	<u>9</u>	<u>12</u>	<u>15</u>	<u>DG</u>	<u>PB</u>	<u>MP</u>	<u>DG</u>
<u>Minimum distance between signs (feet)</u>	<u>na</u>	<u>na</u>	<u>na</u>	<u>100</u>	<u>PB100</u>	<u>100</u>	<u>PB100</u>
<u>Rear Setback (feet)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>PB</u>	<u>MP</u>	<u>PBDG</u>
<u>Side Setback (feet)</u>	<u>10</u>	<u>10</u>	<u>15</u>	<u>15</u>	<u>PB</u>	<u>MP</u>	<u>PBDG</u>
<u>Front Setback (feet)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>15</u>	<u>PB</u>	<u>MP</u>	<u>PBDG</u>
PB - Planning Board, MP-Master Sign Plan, DG - Design Guidelines * <u>Directional signs are regulated under Section 19-46 d. and Section 19-11.5.9.9</u>							

Sec. 19-51 Wall Signs—Other Requirements [Amended 1/24/11]

~~Unless otherwise provided, w~~Wall signs shall conform to the following with the exception of VC1, VC2 and VCC which are governed by Sec. 19-11 5.9

- a. ~~Maximum height seven (7) feet above the eaves.~~ *placed in table.*
- b. No wall sign shall extend beyond ~~a~~ the wall to which it is attached or party wall separating occupancies.
- c. Wall signs shall not project more than twelve inches beyond the roof edge or the face of the wall, awning or canopy to which they are mounted. *added from definition*

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- d. Maximum gross display area of all wall signs on any given wall shall not exceed ten (10%) percent of the wall area to which they are attached. *moved from 19-44 o.*

		<u>Table 19-51 Wall Signs *</u>						
<u>Standard</u>	<u>Residential Districts</u>				<u>Non-Residential Districts</u>			
	<u>RA-RC- HL</u>	<u>RB- RD</u>	<u>FF</u>	<u>BP</u>	<u>VMU- MUC</u>	<u>RCOD OVRC- AVRC ESRD</u>	<u>ESRD</u>	<u>TW- WF</u>
<u>Maximum size (square feet of sign display area)</u>	<u>6</u>	<u>8</u>	<u>12</u>	<u>64</u>	<u>48</u>	<u>PB</u>	<u>MP</u>	<u>DG</u>
<u>Minimum character height (inches)</u>	<u>3</u>	<u>4</u>	<u>4</u>	<u>5</u>	<u>5</u>	<u>PB</u>	<u>MP</u>	<u>DG</u>
<u>Maximum character height (inches)</u>	<u>9</u>	<u>12</u>	<u>12</u>	<u>15</u>	<u>15</u>	<u>PB</u>	<u>MP</u>	<u>DG</u>
<u>Maximum height above the eaves (feet)</u>	<u>7</u>					<u>PB</u>	<u>MP</u>	<u>DG</u>
<small><u>PB-Planning Board, MP - Master Sign Plan, DG-Design Guidelines</u> * <u>Directional signs are regulated under Section 19-46 d. and Section 19-11.5.9.9</u></small>								

Sec. 19-52 Illumination of Signs [Amended 1/24/11]

Illumination of signs shall meet the requirements of applicable design guidelines where required under Section 19-44, with the exception of VC1, VC2, GC, VP, HT and VCC, which are regulated under Section 19-11. In addition, the following restrictions shall apply.

- a. Internal Illumination -- Signs with internal illumination are permitted except in RA, RB, RC, RD, FF, HL, BP, ESRD, RCOD, OVRC, AVRC and VMU Districts. Internal illumination of signs shall be permitted only in the MUC district between the hours of 7:00 a.m. and 11:00 p.m., except that this time restriction shall not apply to the illuminated signs of retail establishments during such hours as the establishments are lawfully open to the public. This restriction is removed as it is difficult to enforce and the illumination must be in compliance with the Exit 10 Design Guidelines so there should not be a glare or disturbance issue.
- b. External Illumination – Signs may be externally illuminated in any district provided light fixtures are shielded and no spill over occurs to the street or adjacent properties.

Sec. 19-54 Home Occupations [Amended 10/25/93, 04/09/12]

- a. The purpose of the Home Occupations provision is to permit the conduct of only those businesses which are reasonably compatible with the residential districts in which they are located. Home occupations are limited to those uses which may be conducted within a residential dwelling or accessory structure without substantially changing the appearance or

condition of the residence or accessory structure.

Business uses conducted wholly within a residence or accessory structure which are incidental to the residential use of the property and are of no impact to the surrounding properties are permitted as a matter of right if they conform with the following criteria:

1. are carried on only by a member or members of the family residing in the dwelling unit;
 2. there is no exterior ~~storage of materials or variation from the residential character of the principal building, display, sign, or advertising that would indicate the presence of the home occupation;~~ **now regulated with all other sign types**
 3. there are no objectionable conditions such as noise, vibrations, smoke, dust, electrical disturbance, odors, heat, glare, or activity at unreasonable hours;
 4. there is no traffic generated by the home occupation.
 5. the dwelling or accessory structure is not altered substantially to accommodate the home occupation; and
 6. no more than one vehicle used primarily for the home occupation shall be kept on the property.
- b. All other home occupations or professions which are accessory to and compatible with a residential use in an RA, RB, ~~RD, HL,~~ VMU, or F district may be permitted as a conditional use, if approved by the Board of Zoning Appeals after public hearing with due notice given, and if the home occupation conforms with the following criteria: **added RD and HL from July amendments**
1. It does not materially injure the character or usefulness of the dwelling unit or accessory structure for normal residential purposes.
 2. It is carried on wholly within the dwelling or accessory structure.
 3. It is carried on primarily by a member or members of the family residing in the dwelling unit. Not more than two persons other than family members residing in the dwelling unit shall be employed on the premise in connection with the home occupation.
 4. There is no exterior display, ~~no exterior sign other than those permitted in Sections 19-46 a,~~ no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building. **now regulated with all other sign types**
 5. Objectionable conditions such as noise, vibration, smoke, dust, electrical disturbance, odors, heat, glare, or activity at unreasonable hours, shall not be permitted.
 6. The traffic generated by such home occupation shall not increase the volume of traffic so as to create a traffic hazard or disturb the residential character of the immediate neighborhood.
 7. In addition to the off-street parking provided to meet the normal requirements of the dwelling, adequate off-street parking shall be provided for the vehicles of each employee and the vehicles of the maximum number of users the home occupation may attract during peak operating hours.
 8. The home occupation may utilize:
 - a. Not more than twenty (20%) percent of the dwelling unit floor area, provided that for the purposes of this calculation unfinished basement and attic spaces are not included.

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- b. Unfinished attic and basement spaces.
- c. One accessory structure. The floor area utilized in the accessory structure shall not exceed fifty (50%) percent of the total floor area of the dwelling unit as previously calculated.
- 9. ~~There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign, as permitted in Section 19-46 a.~~ duplicates language in 4 above.

Sec. 19-127.2 Minor Site Plan Approval- The following expansions, additions, replacements, alterations and improvements to previously developed commercial or multi-family residential properties meeting the following thresholds may be approved under the Minor Site Plan Approval procedure in Section 19-128.1 below. Projects submitted under this section shall require approval by the Community Development Director and the Senior Planner.[Added 8/26/13][Amended 2/27/17]

- a. Utility or support structures such as mechanical systems and coolers.
- b. Lighting stanchions and fixtures and changes of location of the same.
- c. Landscaping and screening.
- d. Minor alterations to grading, drainage and stormwater improvements provided they do not have any negative impact on water quality standards or downstream properties. Any improvements under this paragraph require approval by the Town Engineer.
- e. Increase in impervious surfaces of no greater than 4,000 square feet in a ten year period.
- f. Building additions limited to no more than a 50% expansion of the total gross square footage of the existing building or 1,000 gross square feet, whichever is less. Additions shall not exceed a total of 1,000 gross square feet in a ten year period.
- g. New accessory buildings or structures not to exceed 500 gross square feet in any ten year period.
- g-h. Directional signs on private property.