

**City of Barre, Vermont**  
"Granite Center of the World"

## ***Agenda for the Planning Commission***

Meeting held on Thursday, August 26, 2021 ~ 6:30 PM

### **Hybrid Meeting (in-person and Virtual)**

**Council Chambers in City Hall and Zoom Virtual meeting**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87952296021?pwd=dnFXT3hqUkg3OXVHa1M0OG9LYzBIQT09>

**Meeting ID: 879 5229 6021**

**Passcode: 469486**

Phone: 1 (929) 205-6099 US (New York – Long distance rates will apply)

1. Call to Order
2. Adjustments to the Agenda
3. Public Comment (*for something that is not on the agenda*)
4. Old Business:
  - A. Review and approval of August 12, 2021 meeting minutes
  - B. Final Review of Housing Whitepaper with next steps
  - C. Signage Discussion
5. New Business
6. Staff Updates
7. Roundtable
8. Adjourn

***Planning Commission meetings are open to the public.***

*For questions about accessibility or to request accommodation, please call (802) 477-1465.*

# Barre City Planning Commission

## August 12, 2021 Meeting Minutes

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Present: David Sichel (Chair), Jackie Calder (Vice Chair), Michael Hellein (Secretary), Amanda Gustin, Thomas Lauzon, Jim McWilliam, Rachel Rudi

Staff: Janet Shatney (Director of Planning, Permitting & Assessing)

### 1. Call to Order

6:30pm

### 2. Adjustments to the Agenda

No adjustments.

### 3. Public Comment

No public comment.

### 4. Old business

#### A. Approve meeting minutes of July 22, 2021

**Motion: Gustin, Second Rudi, Approved**

#### B. Discussion of Housing Whitepaper with future steps

Gustin made further changes to the whitepaper and is almost done incorporating new data, with housing sales data from 2018 still to be added.

Calder suggested a header before graph explaining that housing conditions are changing quickly so we have included up-to-date data.

**Gustin will prepare a final draft and Planning Commission will consider sending to City Council at our next meeting of 8/26.**

### 5. New business

#### A. Signage Discussion

Shatney mentioned that window signage is a controversial issue for some businesses downtown, as the City is beginning to inform businesses with signs that are out of conformance. Many cities wait for complaints from the public to inform them about signs that do not conform.

Hellein stated that as a Planning Commissioner he believes the signs ordinance is correct, with the exception of the prohibition of vinyl material. He expressed concern that the DRB may sometimes be moved by sympathy for businesses that are out of compliance due to ignorance, but that seems to describe a communication problem not a shortcoming of the ordinance.

Sichel stated that variances are granted under specific rules set out by state statute, and that while we could create an avenue for conditional approval, currently a variance is the only way to approve is by a variance.

Shatney explained that for decades there were no rules on signage behind glass, but we were fortunate that no one plastered their windows. She shared images of the facade of Dominos, which is completely covered by vinyl signage.

There was some discussion of what constitutes a sign, and the current ordinance was reviewed.

Shatney mentioned that the sign regulation does not have a section for "Temporary Signs". Sichel said that a good way to think about what is allowed is to consider what downtown would look like if every storefront did it: what would downtown look like if all the windows were covered.

Hellein questioned whether there was a reason for temporary signs, since all regulations are related to the physical form of signs. Lauzon said a good use for temporary signs was to help out a business that was having a clearance sale, for example. Lauzon also supported removing the prohibition of vinyl signs, and suggested looking at other municipalities' code for examples. Gustin suggested that a big sale may be a good reason to permit a temporary sign.

Gustin suggested using the experience of visiting a town that seems like it has good signage as an indicator that they may have a good signs ordinance. Gustin supported removing the prohibition of vinyl signs in the Design Review Overlay from the ordinance..

Sichel suggested looking at 10 cities in Vermont the size of Barre with a downtown. **Shatney will review ordinances from other cities and prepare a summary for the Planning Commission the Friday in advance of our next meeting.**

#### B. Municipal Planning Grant Application

Shatney mentioned that walkability is a hot topic, and a Bicycle and Pedestrian Plan would be worth getting funding for.

Gustin mentioned housing related plans, and Sichel and Shatney said more sources of funding for housing are likely coming soon.

Hellein mentioned study for a comprehensive traffic calming strategy. Shatney stated that the Police Department has a new speed cart, and that the Chief asked for where problem areas are. McWilliam observed Tremont, and Shatney observed that Maple Avenue by Hope Cemetery has high speeds. Hellein said that speeding was everywhere in the City, with Gustin adding that her dead end street sees cars traveling at high speed. Hellein continued that the problem is so easily observable that it should not require gathering data before taking action.

Calder said that hiring a Planning Consultant should require that they publicize the grant work, and Shatney confirmed that it will be part of the contract.

**Motion: To authorize Shatney to prepare a Planning grant application that would address pedestrian and bicycle safety with an emphasis on traffic calming strategies to achieve this. Moved Gustin, Second McWilliam, approved unanimously**

#### C. All in for Barre Community Visit August 25, 2021

Sichel encourages any Commissioners who are available to attend the All in for Barre events.

Shatney said that the City is doing a city-wide mailing of a promotional postcard.

#### 6. Staff Updates

No new staff updates.

Calder noted that a lot of senior staff will be leaving the City in the near future, and wondered if there was a backup plan for if positions are not filled. Shatney said it's a decision between the City Manager and department heads to decide whether a deputy can step into the role, and in most cases it requires advertising the position.

#### 7. Round Table

Sichel stated that Shatney forwarded an email from Joelen Mulvaney of the Diversity and Equity Committee about coming to a Planning Commission meeting to present the Equity Assessment Tool.

Hellein mentioned that a Ward 2 seat is opening on the DRB.

#### 8. Adjourn

7:45pm, **Motion McWilliam, Second Calder, Adjourned**

**Sign Comparison Summary**

<b>Sign Summary</b>	<b>Barre City</b>	<b>Hartford</b>	<b>Montpelier</b>	<b>Williston</b>	<b>St. Johnsbury</b>	<b>Brattleboro</b>	<b>Bennington</b>	<b>Winooski</b>
	Permit required	no permit if less than 20%; both perm. + temp total 50%		permit required	Not allowed - no sign shall obscure any window	permit required	permit required, approval in Design Review District by DRB	permit required
	Applied plastic/vinyl not allowed in DRO							
	plastic/vinyl discouraged elsewhere							
<b>Window Signs</b>	Applied to the inside of the glass	both interior and exterior allowed	signs on inside of windows shall not be considered signs exempt	posted within the glass area of a window, does not specify inside or outside		no more than 25% of any ground level window may be obscured by signs, perm or temp, inter or exter	affixed to window or door	permanently affixed to the surface of the glas...
	Must have clear background		cannot obstruct access to any window...				plainly legible through window or door	visible through a window on a permanent basis
	cannot be illuminated	cannot be illuminated		only in the commercial and MU dists				
	20% shopfront coverage only	20% only (does not specify window or bldg)		either 10% or 20% of the glass area facing public way, includes both temp and perm signs			not more than 25% of the total area of any window	affixed to the glass shall not occupy more than 20% of the glass area
	Must be 5' min above ground							
	Must be 5' max in width							
	Must be 36" max in height							

	permit required	permit required	permit required	no permit if <6 sf	no permit	permit required	no permit required	temporary permit issued
	one permit per lot		One per parcel in UC1	no permit for temp window sign provided they meet the requirements		one permit per site		
	one permit for business for lots with multi uses							
	display one+ signs that do not exceed 36 sf total		cannot exceed 20 sf		does not exceed 12 sf	not more than 32 sf	does not exceed 12 sf	cannot exceed 20 sf
	sign must be attached to building		sign must be attached to building			sign must be attached to building		
<b>Temporary Signs</b>	or sign must be attached or a permanent ground-mounted sign		or sign must be attached or a permanent ground-mounted sign			or sign must be attached or a permanent ground-mounted sign		
	6 month timeframe		displayed not more than 7 consec. Days	max 90 calendar days	posted 2 wks before event, and removed 3 days after event	not more than 21 consec. Days unless granted by Administrator	for not more than 5 consec days, nor for more than 14 days in a calendar month, nor for more than 45 days in a calendar year	not to exceed 90 days - DRB can grant extension by permission only
	cannot be illuminated		cannot be illuminated		cannot be illuminated	Cannot be illuminated	cannot be illuminated	
							cannot be more than 12 feet in height from ground to top of sign	

pay to the applicant a proportional refund of connection or impact fees. Regardless of any revised development plans approved by the Board, the Board shall not approve an extension of the original two-year expiration period. After two years, the unused portion of the committed capacity allocation will revert to the Town of Hartford, and there will be no refund of connection, impact, permit or other fees.

- C. Generally, the unused capacity reverting to the municipality is associated with buildings that do not at least have foundations, framing and roofs. Regardless of the permit expiration period above, the Board may order construction of the development over a longer period if this action is in the municipality's best interests.

**§ 152-22 Transfer of allocation.**

- A. Initially reserve capacity is allocated by the Board to a specific person, project and parcel of land. The allocation is not made solely to a parcel of land and therefore does not run with the land during project completion. After completion of the project or permit expiration, however, the allocation (adjusted to the actual development constructed, if necessary) will run with the land.
- B. The transfer of the capacity allocation is prohibited unless approved in writing by the Board at the original owner's request.
- C. The Board may approve transfer of capacity from one project to another and one owner to another, provided that the new project and owner meets all the requirements for the final connection approval originally issued and the original owner requests such transfer.

**§ 152-23 Authority to require connection.**

Nothing herein shall be construed as limiting or impairing the authority of the Town of Hartford or its Board to require connections to the plant and sewers under the general laws of the state or local ordinances.

**Attachments:**

[152a Application Forms](#)

[152b Bills and Billing](#)

[152c Sewer Tech Specs](#)

[152d Standard Details](#)

## Chapter 160

# **SIGNS**

**[HISTORY: Adopted by the Selectboard of the Town of Hartford 2-3-2004. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Highway signs — See Ch. **75**.

Street and road signs — See Ch. **181**.

Signs uses by itinerant vendors — See Ch. **238**.

Zoning Regulations — See Ch. **260**.

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**§ 160-1 Title.**

This chapter shall hereafter be known and cited as the "Town of Hartford Sign Ordinance."

**§ 160-2 Authority.**

This chapter is enacted by the Selectboard under the authority it is granted to regulate signs set forth in 24 V.S.A. § 2291(7). This chapter shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

**§ 160-3 Purpose.**

- A. The purpose of this chapter is to promote the public welfare and safety by regulating existing and proposed signs. The intent is to allow the display of signs for the purposes of providing information and advertising, in an orderly, effective and safe manner.
- B. This chapter recognizes business as an essential part of the community. Since businesses need identification and the public needs direction, the following chapter is intended to create an attractive environment which is conducive to business, industry and tourism; encourage the use of street graphics which are compatible with the community character, readable, clear and maintained in safe and good repair; maintain and enhance the aesthetic environment and the Town's ability to sustain economic development and growth; facilitate safe pedestrian and vehicular traffic; and enable the fair and consistent enforcement of this chapter. This chapter intends to further the objectives and policies of the Town of Hartford Master Plan.

**§ 160-4 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ADMINISTRATIVE OFFICER**

Any individual designated by the Selectboard to administer and enforce this chapter.

**ATTACHED SIGN**

Any sign which is attached to a building. This includes wall signs, roof signs, and projecting signs.

**AWNING SIGN**

Any sign that is part of or attached to an awning, canopy, or other fabric, plastic or other structural protective cover over a door, entrance, window or other outdoor service area. This does not include a fuel island canopy.

**BANNER**

Any lightweight plastic, fabric, or other material bearing words, graphics, or colors designed to draw attention.

**BULLETIN BOARD SIGN**

A freestanding or attached sign constructed of corkboard or similar material within a frame. This does not include projecting or roof signs.

**DIRECTIONAL SIGN**

Any sign displayed to provide direction and/or orientation for pedestrian or vehicular traffic, including signs marking entrances, exits, parking, one-way drives, service areas, pickup and delivery areas, or similar informational wording.

**FACADE**

The exterior walls of a building exposed to public view.

**FLAG**

Any fabric containing distinctive colors, patterns, or symbols.

**FREESTANDING SIGN**

Any sign not attached to or part of any building, but permanently affixed, by any other means, to the ground. Includes monument, pole and post-and-arm signs.

**LOT (LOT OF RECORD)**

A lot which is part of a subdivision recorded in the office of the Town Clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**ON PREMISES**

Referring to signs which are on the same lot as the business they advertise.

**PARAPET**

The extension of the main walls of the building above the roof level.

**PENNANT**

Any sign constructed of lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, used in a series, designed to move in the wind. (For single pennants, refer to "flag.")

**PERSON**

Any individual, firm, partnership, association, corporation, company, organization or entity of any kind.

**PORTABLE SIGN**

Any sign that is not permanently affixed to a building, structure, or the ground.

**PREEXISTING NONCONFORMING SIGN**

Any lawful sign existing as of the effective date of the adoption of this chapter and which could not be displayed under the terms of this chapter.

**PREMISES**

The area comprised by a lot. It may contain one or more businesses.

**PROJECTING SIGN**

A form of attached sign with two sides, mounted perpendicularly to the building to which it is attached and that projects more than 12 inches from such building.

**PROMOTION**

Any special event of limited duration, such as a sale, grand opening, open house, etc., often using banners, pennants, flags, etc., to attract attention.

**SIGN AREA**

A measurement of the total square footage of a sign as specified in § 160-12.

**SIGN HEIGHT**

The maximum allowable height is measured from grade level to the top of the sign or any part of its

structure.

### **SIGN PERMIT**

A written authorization by Town government to erect a sign, which is required for all signs, except where exceptions are listed under § **160-8**.

### **SIGN**

Any device designed to inform or attract the attention of persons.

### **STREAMER**

A narrow strip of material, sometimes a pennant.

### **STREET BANNER**

Any banner sign which is stretched across and hung over a public or private street right-of-way.

### **TEMPORARY SIGN**

Any sign used for a limited period of time for advertising or informational purposes supplementary to or replacing existing permanent signs.

### **THREE-DIMENSIONAL SIGN**

A special type of two-sided sign, whether freestanding or projecting. This sign type allows for incorporating three-dimensional objects or creating an effect with a third dimension.

### **WALL SIGN**

Any sign that is painted on, incorporated into, or affixed parallel to the wall of a building and that does not project more than 12 inches from such building.

### **WINDOW SIGN**

A sign visible from a sidewalk, street or other public place, affixed to or painted on glass or other window material. This may be a permanent or temporary sign, and attached to either the exterior or interior surface.

#### **§ 160-5 Permit required.**

Prior to the placement, erection, construction or modification of any permanent or temporary sign, except signs as described in § **160-8**, a sign permit shall be secured from the Administrative Officer.

#### **§ 160-6 Application for sign permit.**

Applications for sign permits shall be made on the sign permit form provided by the Town. Action on the application shall be taken by the Administrative Officer within 10 working days after the date of filing a complete application. All sign permit applications shall contain a sketch or rendering of the face of the sign, including dimensions. The sign dimensions and mounting information may be submitted without a photo of the sign graphics. However, a photo must be submitted no later than one week after sign installation.

#### **§ 160-7 Permit fees; waiver.**

The fee for a sign permit shall be established by the Selectboard. Said fee shall accompany each application for a permit. No application shall be deemed complete unless accompanied by the appropriate fee. The fee is waived for sign permit applications submitted with zoning permit applications for approved site development plans.

**§ 160-8 No permit required.**

- A. The following signs may be displayed without a permit so long as they are not internally illuminated. The area of such signs shall not be counted in meeting the requirements of § **160-10B(2)**.
- (1) Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
  - (2) In any zoning district, flags of any government.
  - (3) Legal notices, identification, informational, warning or directional signs displayed in accordance with governmental regulations or requirements.
  - (4) Historic markers authorized by the Hartford Historic Preservation Commission.
  - (5) Integral decorative or architectural features of buildings; memorial signs or tablets denoting the names of buildings and dates of erection when cut into the masonry or constructed of bronze or other nonflammable material and attached to the wall.
  - (6) Signs for the direction, instruction or convenience of the public including signs which identify rest rooms, public telephones, automated teller machines, and signs directing and guiding traffic and parking on private property, provided that they bear no advertising matter, do not exceed four square feet and are not located within the right-of-way. Exceptions may be allowed by the Vermont Agency of Transportation for state rights-of-way or by the Hartford Department of Public Works for Town rights-of-way provided that the sign does not obstruct, obscure or interfere with other traffic control devices.
  - (7) "For sale" or "for rent" signs and signs of a similar nature not exceeding six square feet located on lots that are for sale or on lots where there are premises being offered for sale or lease. Such signs shall not exceed one per structure or per street lot frontage and shall be removed immediately upon sale or lease of the lot or premises. (See state regulations.)
  - (8) In residential zoning districts, a maximum of two decorative, "Open" or "Welcome" flags per lot on which there is no other wording, not to exceed 15 square feet in area per flag.
  - (9) In commercial zoning districts, a maximum of one "Open" or "Welcome" flag per entrance on which there is no other wording. Such signs shall not exceed 15 square feet in area.
  - (10) In commercial zoning districts, a maximum of one decorative flag per 15 linear feet of building facade. Such flags shall bear no commercial symbol or message and shall not exceed 15 square feet in area each. If a business has a facade less than 15 feet, one decorative flag is allowed.
  - (11) In residential zoning districts, one on-premises sign not exceeding six square feet in area advertising a garage sale, tag sale, or other temporary sale; such signs must indicate the date of the event and may be displayed for a period of up to 48 hours in advance of the sale and must be removed within 12 hours after the completion of the sale.
  - (12) Bulletin boards for public use located on the property of schools, churches, community centers, or neighborhood commercial facilities and not exceeding 32 square feet.
  - (13) On-premises temporary construction signs, subject to the following limitations set forth below. Such signs shall be removed immediately upon completion or cessation of work.
    - (a) Residential and rural land districts: not exceeding 32 square feet per site total for all contractors. Signs must meet a ten-foot setback requirement from any property line.

- (b) Commercial/Industrial districts: 32 square feet per contractor, not to exceed 160 square feet total per site. Signs must meet a ten-foot setback requirement from any property line.
- (14) One identifying sign attached to each bin or dispenser containing items for sale (ice, newspapers, etc.).
- (15) Interior window signs which do not exceed the following percentages of the total window area on the facade and story where they are displayed (or, if the business occupies only a portion of the building, of the window area for the space occupied by the business):
  - (a) Permanent window signs: 20%.
  - (b) All window signs (permanent plus temporary): 50%.
- (16) Awning lettering not to exceed six inches per letter and located on the lower edge or fringe of an awning, displaying one time the name of the business. In addition, any street number may be expressed twice in numeral form. Any other lettering or graphics of any size will constitute a sign and requires a permit. (See illustration of awning signs on Attachment 2 at the end of this chapter.)
- (17) Political and campaign signs on private property if displayed not more than 60 days before an election and removed the day after the election. The property owner is responsible for all removal.
- (18) Menu signs for restaurants (attached), provided that they do not exceed six square feet.
- (19) Signs on registered and regularly operated motor vehicles.
- (20) Portable signs, including sidewalk signs (see illustration on page 15) except signs prohibited under § 160-9C. Portable signs must meet the following standards:
  - (a) Not to exceed one sign per business;
  - (b) No wider than 26 inches;
  - (c) No taller than 48 inches;
  - (d) Except for sidewalks, not located within public right-of-way;
  - (e) Placed so that they do not block pedestrian and vehicular traffic or create a public hazard;
  - (f) To be maintained in good repair and taken in at night; and
  - (g) Should merchandise be placed on said sign, the merchandise must not stick out beyond the sign's perimeter.
- (21) Signs for the outdoor display of merchandise provided that they meet the following standards:
  - (a) The number of signs does not total more than 12 signs per business;
  - (b) Each sign does not exceed four square feet in size;
  - (c) The signs are for items that are approved to be permanently stored outdoors; and
  - (d) The signs are located on the merchandise.
- (22) Vehicle window signs (signs located on a window or within a vehicle) as long as the sign is related to selling that particular product.

- (23) Banners, pennants, ribbons, streamers and balloons for businesses or nonprofit, civic, philanthropic, religious or arts organizations are allowed in commercial zoning districts.
- B. For banners, each business or organization shall be provided an allowance based on 0.5 square feet of banners per one linear foot of the chosen facade of the building with the maximum banner size and total area for banners based on the zoning district. (See chart below in Subsection C.) Each business shall be allowed to choose one facade on which the banner allowance is calculated, provided that the facade chosen has visibility from the street on which the property fronts. A maximum of six banners are allowed per business or organization, provided that the individual banners and the total banner area do not exceed the total allowance for the zoning district. (See chart below in Subsection C.) These banners may be displayed on more than one side of the structure, but the total amount of banners shall not exceed the allowance of 0.5 square foot per one linear foot of the building facade for that particular facade, except for the minimum allowance for that zoning district. (See illustration of banner allowance on Attachment 2 at the end of this chapter.) Banners must be affixed to the building or attached to an existing freestanding sign and shall not be affixed to roofs.
- C. Street banners for a community-wide campaign, drive or event of a nonprofit, civic, philanthropic, religious or arts organization may be displayed within the public right-of-way, not to exceed 128 square feet and may be displayed for up to two weeks. Street banners require signoff from the Department of Public Works prior to their being displayed.

<b>Zoning District</b>	<b>Minimum Total Allowance for Banners (square feet)</b>	<b>Maximum Total Allowance for Banners (square feet)</b>	<b>Maximum Size of an Individual Banner (square feet)</b>
RC-2, VB, VR-C, QG	15	30	15
CB	24	66	30
I-C	24	100	30

- D. Pennants, ribbons, streamers and balloons are allowed and may be displayed by a business or organization individually or in a series. The maximum size for individual pennants, ribbons, streamers and balloons shall not exceed two feet in any dimension. (See illustration of permitted promotional items on Attachment 2 at the end of this chapter.)
- E. All promotional materials must be kept in good repair at all times.

**§ 160-9 Prohibited signs.**

The following signs may not be erected in any zoning district:

- A. Off-premises signs, except § **160-10B(6)**, that is, signs which are located on lots other than the one where the advertised business, product or activity is located or sold. (See state regulations.)
- B. Signs on vehicles, including trailers, if those vehicles are regularly or continually located at a site primarily for the purpose of display. This standard is not intended to prevent a business owner from parking his/her vehicle in front of the business. (See state regulations.)
- C. Signs mounted on wheels or trailers.
- D. Signs which contain, include or are illuminated by any flashing, intermittent or moving lights, or moves, or have any animated or moving parts, except that this restriction shall not apply to a traffic

control sign, time and temperature displays, or barber poles. (See state regulations.)

- E. Signs which prevent a driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs or otherwise interfere with visibility or traffic safety. (See state regulations.)
- F. Signs which extend into the public right-of-way or across lot lines, except as permitted under §§ **160-10B(4)** and **160-8A(6)** and **(20)**.
- G. Signs or displays which are placed on the sidewalk or in the public right-of-way, except as permitted under § **160-8A(20)** and those placed to protect public safety during road and utility repairs.
- H. Signs which are located so as to be readable primarily from a limited access highway. (See state regulations.)
- I. Signs which interfere with, imitate or resemble official traffic control signs or attempt or appear to attempt to direct the movement of traffic. (See state regulations.)
- J. Signs located on trees, painted or drawn on a rock or other natural feature, except that this restriction shall not apply to residential or hiking/recreational trails directional signs. (See state regulations.)

**§ 160-10 Signs requiring a permit.**

All signs not listed in § **160-8** must conform to the following requirements and receive a permit from the Administrative Officer before they are erected:

**A. General requirements:**

- (1) All signs must be made of durable materials and maintained in good condition.
- (2) All permanent signs must be attached to a building or mounted on a supporting structure which is securely set in the ground.
- (3) Signs must meet a ten-foot setback requirement from any property line in all residential and rural lands zoning districts. In commercial zoning districts where setbacks exist, signs must meet a ten-foot setback from any property line.

**B. Specific requirements: Except as provided under § 160-8, signs per business shall not exceed the following: [Amended 2-24-2009]**

- (1) Multitenant commercial building(s): Where two or more business establishments are located within the same structure or multiple structures on one lot, one common multibusiness (freestanding or attached) sign will be permitted for the development as a whole based on the provisions under Attachment 1 at the end of this chapter. No other signs may be erected, except that:
  - (a) If the development has a second vehicular entrance and the first sign cannot be seen from this entrance, a second multibusiness sign may be erected based on Attachment 1 at the end of this chapter.
  - (b) Each business may have two signs whose total area shall not exceed one square foot of sign for each linear foot of that business' portion of the facade based on Attachment 1 at the end of this chapter.
  - (c) In a multitenant commercial building, any tenant whose place of business is not located facing the street at ground level (i.e. upper floors, basement, side or rear locations), may, with the landlord's approval, mount one sign for maximum visibility, in conformance with the minimum sign area allowance per business for that zoning district.

- (d) A directory sign, no larger than 12 square feet, may be mounted on a multitenant commercial building at each entrance. The directory sign shall only list the business names and location within the building. The directory sign must use one uniform typeface, and no additional logos or advertising matter.
- (2) Signs may not extend above the ridge of the roof or parapet of a building except as a conditional use in the I-C and CB Zoning Districts. In no case, shall the sign extend more than 10 feet above the ridge or parapet. (See state regulations.)
- (3) Illuminated signs shall be shielded in such a way as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Illumination shall be focused upon or from within the sign itself. (See state regulations.)
- (4) Projecting signs are limited to a maximum size of 36 square feet depending on the particular zoning district. Projecting signs may project up to six feet out from buildings over the sidewalks, provided that the bottom edge of such signs is at least nine feet above the sidewalk, and the sign remains one foot less than the width of the sidewalk and does not exceed five feet wide.
- (5) With the approval of the Hartford Zoning Board of Adjustment, the area of signs more than 50 years old which are in good repair may be excluded in calculating the total allowable area under Attachment 1 at the end of this chapter in the interest of preserving their historical value or significance.
- (6) Signs erected and maintained by the Town of Hartford which show the place and time of public or private/nonprofit meetings and events in Town, and may identify the name of Town or Village, including "Welcome to," not to exceed 64 square feet in area. Not more than two such signs may be erected and maintained readable by traffic proceeding in any one direction on any one highway. Approval by the Selectboard is required. This may include off-premises signs. (See state regulations.)
- (7) Municipal informational and guidance signs in the right-of-way (excluding interstate highways) to assist persons in reaching destinations that are transportation centers, geographic districts, historic monuments, and significant or unique educational, recreational or cultural landmarks, provided that such destinations are not private, for-profit enterprises. The maximum size of the signs shall be 12 square feet and shall not exceed 12 feet in height. Such signs shall be uniform throughout the Town regarding color, shape and placement. A proposal shall be submitted to the Planning Commission for review. The Selectboard shall make a final decision on the proposal. (See state regulations.)
- (8) Home occupations: for an approved home occupation, a sign not exceeding six square feet may be displayed in all zoning districts.
- (9) Home businesses: for an approved home business, a sign not exceeding 16 square feet may be displayed in all zoning districts.
- (10) Planned developments: The Planning Commission may allow variations in the sign allowance for planned developments consistent with § 260-47A(2) of Chapter 260, Zoning Regulations.

#### § 160-11 Removal of signs.

When a business or organization closes, moves or otherwise terminates, an advertised product ceases to be offered, or an advertised event has occurred, all graphics and text signs pertaining to that use, service, product or event must be removed from the location within 180 days unless an extension of time is approved as a conditional use by the Zoning Board of Adjustment.

#### § 160-12 Calculation of sign area.

- A. Signs on panels. The area of any sign regulated under this subsection shall be calculated by measuring the smallest rectangle or other geometric shape or combination of shapes which includes

all of the display and all of the elements of the matter displayed. Frames and panels are included in this computation, but structural supports not bearing advertising matter are not included. (See illustrations of Calculating Panel and 3-Dimensional Sign Area and Area of Signs on Panel on Attachment 2 at the end of this chapter.) The area of a sign that is painted on both sides is counted only once. (See state regulations.)

- B. Individual letters or graphics. Where individual letters or graphics are mounted on the surface of a building with no backing or panels, the area of a sign will be calculated by measuring the smallest rectangle or other geometric shape or combination of shapes around the perimeter of each word and figuring the area within those lines. (See illustrations of Calculating Panel and 3-Dimensional Sign Area and Area of Signs on Panel on Attachment 2 at the end of this chapter.)
- C. Three-dimensional signs. The area of three-dimensional signs will be calculated as a special case of a two-dimensional sign where the widest plan view shall be considered to be the area of the sign for freestanding and projecting signs. The area will be calculated by measuring the smallest rectangle or other geometric shape or combination of shapes following the perimeter of the entire sign, graphic panels, graphic symbols, and/or physical items, and figuring the area within that perimeter. (See illustration of Calculating Panel and 3-Dimensional Sign Area on Attachment 2 at the end of this chapter.) Three-dimensional signs also are subject to the same height and projection restrictions as other projecting signs. [See § 160-10B(4). Any lettering or graphics on the top or bottom surfaces of a sign will be counted as sign area. (See illustrations of Calculating Panel and 3-Dimensional Sign Area and Area of Signs on Panel on Attachment 2 at the end of this chapter.)]

#### § 160-13 Calculation of number of signs.

For the purpose of determining the number of signs, a sign shall be considered any device designed to inform or attract the attention of persons. Where matter is displayed in a random manner without an organized relationship of elements, each element shall be considered to be a single sign. (See illustration of Number of Signs on Attachment 2 at the end of this chapter.)

#### § 160-14 Nonconforming signs.

Nonconforming signs that were otherwise lawful on the effective date of this chapter may remain in use for that location, provided that the use has not been abandoned or discontinued for more than 180 consecutive days. (See § 160-11.)

#### § 160-15 Changes to signs.

- A. A permit is required if:
  - (1) The sign remains the same size, but graphics or text on the sign are altered. This permit is for the record only, and requires no waiting period for approval.
  - (2) A different-sized sign is replacing a permitted sign.
- B. No permit is required to refresh or repair existing graphics.
- C. Prior to any changes to signs, the property owner/business owner should confirm with the Administrative Officer that the existing sign is properly permitted or is a lawful nonconforming sign.

#### § 160-16 Appeals.

Any person aggrieved by any action of the Administrative Officer, may appeal such action to the Town of Hartford Zoning Board of Adjustment. Such appeal shall be filed on an application form with the appropriate fee and submitted to the Clerk of the Zoning Board of Adjustment. Such notice of appeal must be filed within 15 days of the date of the decision or act and a copy of the notice of appeal shall be filed with the Administrative Officer. In deciding appeals, the Zoning Board of Adjustment may make such order or take such action, including the issuance of a permit or the revocation of same as is consistent with this chapter. The Zoning Board of Adjustment, however, may not grant variances, exemptions, extraordinary relief or otherwise alter, amend, enlarge or modify the provisions of this

chapter, it being the intent of this section to merely provide for appeals of decisions of the Administrative Officer and not to provide for variances or exceptions hereto.

**§ 160-17 Civil penalty.**

Any person who violates any provision of this civil ordinance shall be subject to a civil penalty of up to \$250. Each day the violation continues shall constitute a separate violation. The Administrative Officer or other designee of the Selectboard shall be authorized to act as issuing municipal officials to issue and pursue before the Judicial Bureau a municipal complaint for a violation of this chapter. The Administrative Officer or other designee of the Selectboard shall issue a written warning for a violation of this chapter before issuing a municipal complaint for a first offense of this chapter in any calendar year.

**§ 160-18 Waiver fee.**

A. Waiver fee from municipal complaint. An issuing municipal official is authorized to recover a waiver fee, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee.

- (1) First offense: \$25.
- (2) Second offense: \$50.
- (3) Third offense: \$75.
- (4) Fourth offense: \$100.
- (5) Fifth and subsequent offenses: \$150.

B. Civil penalty for ordinance violation. An issuing municipal official is authorized to recover civil penalties in the following amounts for each violation of this chapter:

- (1) First offense: \$50.
- (2) Second offense: \$100.
- (3) Third offense: \$150.
- (4) Fourth offense: \$200.
- (5) Fifth and subsequent offenses: \$250.

**§ 160-19 Effect.**

This chapter shall take effect 60 days following adoption by the Selectboard unless a petition requesting voter approval is submitted within 44 days following adoption as provided in 24 V.S.A. § 1973. Adoption of this chapter shall be deemed to repeal such portions of the Town of Hartford Zoning Regulations adopted March 1, 1962, and any amendments thereto, which are inconsistent with the provisions of this chapter.

**§ 160-20 Amendments.**

This chapter may be amended from time to time after a Selectboard public hearing as provided by 24 V.S.A. §§ 1972 and 1973, Chapter 59, as amended.

**Attachments:**

[160a Sign Allowance by Zoning Dist](#)

[160b Sign Illustrations](#)

**Section 3012. Signs**

3012.A **Purpose.** By encouraging the orderly and appropriate design, scale, and placement of signs, the provisions of this section are intended to:

- (1) Protect public safety;
- (2) Promote effective identification, communication and wayfinding; and
- (3) Maintain and enhance an attractive visual environment that fosters a healthy economy.

3012.B **Applicability.** All signs shall be designed and installed in accordance with the provisions of this section. The applicant shall apply for and receive a zoning permit before any sign is erected, enlarged, replaced, redesigned, or altered in any way except as specifically exempted in Subsection 3012.D. Signs within the Design Review Overlay District shall also meet the requirements of Section 2201, as applicable.

3012.C **Prohibited Signs.** The following signs are prohibited:

- (1) Off-premises signs, except for signs on a common scheme premises in accordance with Paragraph 3012.G(6).
- (2) On-premises signs more than 1,500 feet from the main entrance of the building, except for signs on a common scheme premises in accordance with Paragraph 3012.G(6).
- (3) Abandoned signs.
- (4) Signs attached to trees, utility poles, or public amenities such as public benches or streetlights.
- (5) Signs placed on any public property or public right-of-way, except for a portable sign in accordance with this section.
- (6) Signs that obstruct pedestrian traffic or visibility.
- (7) Signs that limit drivers' sight distance, that could be confused with official highway signs or signals, that unduly distract drivers' attention, or that otherwise impair public safety.
- (8) Signs illuminated by, composed of, or containing flashing, intermittent, rotating, or moving lights.
- (9) Internally illuminated signs except where specifically allowed under these regulations.
- (10) Signs that move or that incorporate any pennant, ribbon, streamer, spinner, balloon, inflatable or other similar moving, fluttering or revolving device except for revolving barber poles not more than 4 feet tall.
- (11) Signs mounted or extending more than 35 feet above the ground or, if building mounted, above the building's roofline.
- (12) Signs placed on vehicles or trailers that are parked or located for the primary purpose of displaying the sign.
- (13) Electronic message signs that display message content in more than one color, except as allowed for theater marquees in accordance with Paragraph 3012.I(1).
- (14) Any sign that is otherwise not allowed under these regulations.

**3012.D Exempt Signs.** The following signs do not require a zoning permit:

- (1) Public signs or notices erected or required by the city or state within the public right-of-way, including signs associated with public transit.
- (2) Government flags not more than 60 square feet in area when flown from a flag pole.
- (3) One temporary sign with an area that does not exceed 4 square feet displayed for fewer than 48 consecutive hours on a parcel where a garage sale, yard sale or other similar sale of personal property is taking place.
- (4) One temporary sign with an area of not more than 6 square feet in area adjacent to each street on which a parcel that is actively for sale has frontage. Such signs shall be removed within 1 week following the sale or lease of the parcel.
- (5) One temporary sign with an area of not more than 32 square feet in area on a parcel where construction is taking place. Such signs shall be removed not more than 3 days after the Administrative Officer issues a certificate of compliance for the project on the parcel or when construction on the parcel ceases if no certificate of compliance is required.
- (6) One open flag not more than 15 square feet or open/closed sign not more than 2 square feet in area per business. The flag shall be displayed only when the business is open. An open sign may be illuminated only when the business is open.
- (7) Posted, trespassing, hunting, or similar signs not more than 2 square feet in area.
- (8) Non-illuminated name, address, or similar identification signs not more than 2 square feet in area.
- (9) Decorative signs or banners on single-unit or two-unit residential property.
- (10) Sandwich board signs are exempt from these regulations but are required to receive approval from the Department of Public Works.
- (11) Signs on the inside of windows and inside buildings shall not be considered signs for the purposes of these regulations.

**3012.E Dimensional Standards.** Figure 3-16 establishes the maximum sign area and height by zone to be calculated or measured as follows:

- (1) **Sign Area.** Sign area shall be calculated by drawing one or more rectangles around all the components (ex. text, logos, symbols, and graphics) that serve to communicate the sign's message in accordance with the following:
  - (a) Support components (ex. frames, bases, poles, posts, roofs, etc.) shall not be included in the calculation of sign area unless they are integral to communicating the sign's message.
  - (b) Sign area only includes one side of a multi-sided sign provided that the message is the same on all sides (if it is not, each unique message component shall be counted once in the calculation).
  - (c) The area of a nonrectangular sign shall be adjusted to compensate for the amount of negative space within the sign area rectangle(s) as specified in Figure 3-17.
  - (d) See Figure 3-17 for further guidance on calculating sign area.

- (2) **Sign Height.** The height of a ground-mounted sign shall be measured from the lowest point on the ground at the base of the sign to the highest point of the sign, including any support component (ex. post, roof, etc.). See Figure 3-16 for further guidance on measuring sign height.

3012.F **General Standards.** Signs shall conform to the following:

- (1) Signs shall be structurally sound and located so that they do not pose a threat to pedestrian or vehicular traffic.
- (2) Permanent ground-mounted signs shall be self-supporting structures built on and attached to concrete foundations.
- (3) Signs shall not be designed or located in a manner that would obscure architectural features such as cornices, arches, columns, etc.
- (4) Signs shall not be designed or located in a manner that would obstruct access to any fire escape, required exit, window, or door.
- (5) Sign lighting shall meet the provisions of Subsection 3012.H.
- (6) Signs shall not be displayed more than 14 days before the associated use commences.
- (7) All signs shall be maintained in a safe, legible, functional, and well-kept condition that is substantially the same as when they were constructed or installed.

3012.G **Specific Standards.** Signs shall conform to the following:

- (1) **Wall Signs.** Wall signs are allowed as specified in Figure 3-15 and in accordance with the following:
  - (a) A building may have multiple wall signs.
  - (b) Wall signs may be mounted on any building facade.
  - (c) The total area of all wall signs on a building shall be counted towards the maximum area of building-mounted signs specified in Figure 3-16.
  - (d) The width of a wall sign shall not exceed 80% of the width of the building facade associated with the office, space or unit occupied by either a use, for buildings with two or more uses and/or a residence or business, for a building with more than one occupant or building facade, for buildings with one use and one occupant.
  - (e) A wall sign may be illuminated in accordance with Subsection 3012.H.
  - (f) Wall signs that project more than 6 inches from the wall shall have a minimum clearance of 8 feet from the bottom of the sign to the grade below.
  - (g) Wall signs may encroach into required setbacks or over sidewalks.
- (2) **Projecting Signs.** Projecting signs are allowed as specified in Figure 3-15 when designed and placed so the sign is visible to, and for the purpose of capturing the attention of a pedestrian walking along the same side of the street as the building to which the projecting sign is attached or under a building arcade or canopy in accordance with the following:

- (a) There shall not be more than one projecting sign per customer entrance except as allowed under Paragraph (4) below.
  - (b) The sign shall not exceed 6 square feet in area.
  - (c) The area of a projecting sign shall be counted towards the maximum area of building-mounted signs per building specified in Figure 3-16.
  - (d) The sign may be illuminated in accordance with Subsection 3012.H.
  - (e) The sign and its support structure shall have a minimum clearance of 8 feet from the bottom of the sign to the grade below.
  - (f) The sign and its support structure shall not project more than 3 feet from the wall of the building on which the sign is mounted.
  - (g) The sign and its support structure may encroach into required setbacks and over sidewalks to within 1 foot of the curb.
  - (h) Projecting signs shall not be mounted on a building facade above the second floor level, except that blade signs may be mounted at ground or second floor level and extend more than one story in height not to exceed the eaves or parapet.
  - (i) No projecting sign shall be located less than 24 feet from another projecting sign.
- (3) **Directory Signs.** Building-mounted directory signs are allowed as specified in Figure 3-15 to identify uses that shall be accessed from inside the building and in accordance with the following:
- (a) There shall not be more than one directory sign per shared building entrance.
  - (b) The sign shall not exceed 6 square feet in area.
  - (c) The sign shall be located at or adjacent to a building entrance.
  - (d) The sign may be illuminated in accordance with Subsection 3012.H.
  - (e) The area of a directory sign shall be counted towards the maximum area of building-mounted signs per building specified in Figure 3-16.
- (4) **Signs for Businesses located above Ground Floor Level of a Building.** Building-mounted signs identifying uses where a building has more than one residence, business, or occupants, with a space, office, or unit located above the ground floor level of building are allowed as specified in Figure 3-15 and in accordance with the following:
- (a) For each building occupant with a space, office or unit located above the ground floor level of a building, there shall be no more than one building mounted sign.
  - (b) The sign may be a wall or projecting sign.
  - (c) The sign shall be mounted above the ground floor level at the same height and location as the space office or unit occupied by the associated use or building occupant. The preferred mounting location for a projecting sign associated with a use or building occupant with a space, office, or unit located on the second floor level of a building is beside a window for the space, office, or unit occupied by the associated use or building occupant and not higher than the top of that window.
  - (d) The sign may be illuminated in accordance with Subsection 3012.H.

- (e) The total area of all signs for uses or building occupants with a space, office, or unit located above the ground level of a building shall be counted towards the maximum area of building-mounted signs per building specified in Figure 3-16.
  - (f) All signs mounted above the ground floor level of the same building shall be compatible in type, scale, and placement.
- (5) **Ground-mounted signs.** Ground-mounted signs are allowed as specified in Figure 3-15 and in accordance with the following:
- (a) There shall not be more than one ground-mounted sign per parcel, except that a parcel with frontage on more than one street may have one ground-mounted sign located adjacent to each street on which the parcel has frontage.
  - (b) The maximum size and height of a ground-mounted sign is specified in Figure 3-16.
  - (c) Ground mounted signs may be located within required setbacks, but shall be set back at least 3 feet from the parcel line. Signs that exceed 6 feet in height shall be set back from the parcel line a distance equal to no less than 50% of their height.
  - (d) The sign may be illuminated in accordance with Subsection 3012.H.
  - (e) No ground-mounted sign shall be located less than 50 feet from any other ground mounted sign.
  - (f) Ground-mounted signs associated with multiple uses, dwellings and/or businesses located on the same parcel are encouraged to identify only the name of the overall development or project on the parcel, the address of the parcel and the name of each resident or business.
- (6) **Common Scheme Premises Signs.** A site that consists of more than one parcel sharing a common entrance from the street may have one ground-mounted sign associated with all the uses and/or occupants of building and/or land within the site, even though one or more of those uses or building or land occupants are not located on the same parcel as the sign and without regard for the number landowners.
- (7) **Awnings and Similar Accessory Structures.** Signs on awnings or similar attachments to a building shall be considered wall signs for the purposes of determining the total number and area of signs allowed on a parcel or site. Umbrellas or similar accessory structures shall also be considered wall signs if more than 10% of their surface area is covered with one or more signs that are also intended to be legible from off-premises.
- (8) **Instructional and Wayfinding Signs.** Instructional and wayfinding signs not designed to be legible from off the premises or for advertising purposes are allowed without limitation and shall not be counted when determining the total number and area of signs allowed on a parcel or site.
- (9) **Temporary Signs.** Temporary signs are allowed to advertise openings, sales, or similar special events as specified in Figure 3-15 and in accordance with the following:
- (a) There shall not be more than one temporary sign per parcel except parcels or sites that include more than one occupant and/or use in Eastern Gateway Zoning District may have not more than one temporary sign per occupant or use.

- (b) A temporary sign shall be displayed not more than 7 consecutive days nor more than a total of 14 days in any calendar year.
- (c) A temporary sign shall be securely attached to either a building or a permanent ground-mounted sign.
- (d) A temporary sign shall not exceed 20 square feet in area.
- (e) Temporary signs shall not count towards the maximum area of signs allowed under Figure 3-16.
- (f) A temporary sign shall not be illuminated.

3012.H **Sign Lighting.** All sign lighting shall conform to the following:

- (1) **Externally Illuminated Signs.** External illumination for signs shall be considered Class 1 lighting and shall conform to the standards of Subsection 3204.F. All upward directed sign lighting is prohibited.
- (2) **High Intensity Lights.** Any sign that includes the use of laser source lights, searchlights or other high intensity lights is prohibited.
- (3) **Time Limits.** Sign lighting shall be turned off by 9 p.m. within Lighting Zone 1 and by 11 p.m. within Lighting Zone 2, or at the close of business if later. The Development Review Board may further limit the time period when signs may be illuminated as deemed necessary to achieve the purposes of this section and protect the character of the neighborhood.

3012.I **Special Use Signs.** There are special standards for the following uses:

- (1) **Theaters.** In addition to the signs otherwise allowed under this section, a theater may have either:
  - (a) A marquee shall not project more than 6 feet from the building and shall not exceed 4 feet in height and 12 feet in width. Signs may be located on the three faces of the marquee. The marquee shall not count towards the maximum area of signs allowed under Figure 3-16 provided the combined marquee signage does not exceed 12 square feet; or
  - (b) Temporary wall or window signs may be mounted in permanently installed frames. These signs shall not count towards the maximum area of signs allowed under Figure 3-16 or be subject to the limitations of Paragraph 3012.G(9). The total area of these signs shall not exceed 32 square feet except that multiplexes may have an additional 8 square feet of signage per additional theater.
- (2) **Fueling Stations.** In addition to the signs otherwise allowed under this section, a fueling station may have either:
  - (a) One pricing sign affixed to each pump or not more than one pricing sign affixed to each side of the canopy. Such pricing signs shall not count towards the maximum area of signs allowed under Figure 3-16. Each sign shall not exceed 3 square feet in area. Pricing signs may be single-color digital price signs; or
  - (b) One ground-mounted digital pricing sign adjacent to each street upon which the parcel has frontage. The pricing sign shall count towards the maximum area of signs allowed under Figure 3-16. .

- (3) **Farm Stands or Markets.** In addition to the signs otherwise allowed under this section, a farm stand or market may display not more than 4 non-illuminated signs advertising seasonal products. Such signs shall not count towards the maximum area of signs allowed under Figure 3-16. Each sign shall not be more than 4 square feet in area and shall not be displayed more than a total of 90 days in any calendar year.
- 3012.J **Signs in Public Rights-of-Way.** Permission from the Department of Public Works is required before any sign may be placed in a public right-of-way, irrespective of whether or not it requires a zoning permit.
- 3012.K **Sign Removal.** All signs shall be removed within 90 days after its associated use, building, or land occupant changes, closes, or terminates (if the sign is nonconforming see Subsection 3012.L). For lawful, conforming signs, only the message components of the sign associated with the changed, closed, or terminated use, building, or land occupant shall be removed or covered and the support components may remain. If the support components are not going to be reused, they shall be removed before the Administrative Officer may issue a zoning permit for any new signs on the property.
- 3012.L **Nonconforming Signs.** The following applies to any sign that has become a nonconformity:
- (1) A nonconforming sign shall not be altered, modified, or reconstructed unless:
    - (a) The alteration, modification, reconstruction or relocation shall bring the sign into conformance with these regulations; or
    - (b) The alteration, modification, or reconstruction of the sign will not change the area and will be limited to replacement of a sign panel, or replacing individual letters or logos within the same area, or repainting a sign face. No changes beyond normal repair and maintenance shall be allowed to the structure or framing, and the sign shall not be relocated.
  - (2) Otherwise, a nonconforming sign shall be brought into conformance with these regulations when:
    - (a) There is a substantial improvement to the exterior of the building occupied by the use or building occupant associated with the sign.
    - (b) The sign has been damaged to the extent that the cost of repair or restoration exceeds 30% of the replacement value of the sign immediately prior to the damage.
  - (3) A nonconforming sign shall be removed within 90 days after its associated use, building, or land occupant changes, closes, or terminates. Both the message and support elements of the sign shall be removed. The Development Review Board may allow a nonconforming sign to remain after the associated use, building or land occupant closes or terminates upon determining that the nonconforming sign has artistic, historic or landmark value to the city and is an essential component of the unique identity of a neighborhood, site or building.

Figure 3-15. Sign Types Allowed

	UC 1,2 & 3	EG	WG, RIV & MUR	All other districts
Wall Sign	Y	Y	Y	Y
Projecting Sign	Y	Y	N	N
Directory Sign	Y	Y	Y	Y
Signs for Uses or Occupants located above Ground Floor	Y	Y	N	N
Ground-Mounted Sign, Multiple Uses	Y	Y	Y	Y
Ground-Mounted Sign, Single Use	Y	Y	Y	Y
Ground-Mounted Sign, Entrance	Y	Y	Y	Y
Temporary Sign	Y	Y	Y	Y

Figure 3-16. **Maximum Sign Area and Height**

	UC 1,2 & 3	EG	WG, RIV & MUR	All other districts
<b>Building-Mounted Sign Area</b> (per foot of the width of the building facade)	2.0 sf	2.5 sf	0.3 sf	0.2 sf
<b>Building-Mounted Sign Area</b> (building setback >200 ft. from street)	na	3.0 sf	0.6 sf	0.4 sf
<b>Building-Mounted Sign Area</b> (multi-story building)	extra 12 sf for each level or story above ground floor level	extra 18 sf for each level or story above the ground floor level		–
<b>Ground-Mounted Sign Area</b>	12 sf	32 sf	12 sf	8 sf
<b>Ground-Mounted Sign Area</b> (multiple uses, buildings or land occupants)	–	extra 8 sf per use or occupant	–	–
<b>Ground-Mounted Sign Height</b>	8 ft.	12 ft.	12 ft.	8 ft.

Figure 3-17. **Sign Area Adjustment for Nonrectangular Signs**

IF NEGATIVE SPACE COMPRISES:	THEN REDUCE THE CALCULATED SIGN AREA BY:
30% to <50% of the Sign Area Rectangle	15%
50% to <70% of the Sign Area Rectangle	30%
70% or more of the Sign Area Rectangle	45%

## Chapter 25

### Signs and Public Art

This chapter establishes standards for signs. It begins with a statement of purposes and principles for sign regulation in Williston. A list prohibited types of signs and an explanation of permit requirements, including the requirement for master sign plans, follows. Standards for the permitted type, number, size, and illumination of permanent signs in each zoning district are presented in a table and WDB 25.6 and 25.7. WDB 25.8 addresses temporary signs. The chapter ends with standards for continuing use of nonconforming signs and definitions of ‘community information center’ and ‘public art.’

#### 25.1 Purpose – Principles – Authority

**25.1.1 *What role do signs play in Williston’s landscape?*** Williston permits signs that serve the public by identifying local businesses, providing directions, making people aware of regulations and possible safety hazards, making people aware of community events and political messages, and assisting town residents in the occasional sale or lease of homes and household goods.

**What is a sign?** For the purposes of this bylaw, a “sign” is anything that is intended to attract attention that is not specifically excluded from this definition. This includes what people typically think of as signs, ranging from small “No Parking” signs to large billboards. **It also includes other attention getting devices or displays**, including vending machines that are visible from a public way; pennants and pinwheels that bear no message; and similar devices or displays. Community information centers and public art, both of which are defined later in this chapter, are excluded. So are scoreboards installed as provided by WDB 17.8.

#### **25.1.2 *What principles guide sign regulation in Williston?***

25.1.2.1 **Signs are Important.** Signs that effectively serve the purposes listed above are an important feature of the town’s landscape. They help people navigate through the community and make people aware of local businesses, homes for sale or rent, the sale of household goods, and community events. They also help make people aware of regulations and safety hazards and provide a means of political expression.

25.1.2.2 **Freedom of Speech.** Federal courts have made it clear that signs are a legitimate medium for political expression. The owner of any sign which is otherwise allowed by these standards may substitute noncommercial copy in lieu of any other commercial or non-commercial copy. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

25.1.2.3 **Signs Have Impacts.** Despite their importance in the town’s life, signs that are too numerous, too large, poorly placed, improperly illuminated, or out of scale or character with

their surroundings will seriously detract from Williston’s landscape and economy. They can block or diminish scenic views, obstruct views at driveways and intersections; distract motorists; block pedestrian ways; hide architectural or landscape details that contribute to the character of buildings, neighborhoods, and the town; create light trespass and pollution; and project a sense of clutter and haste that is not consistent with either a healthy economy or a healthy community life.

25.1.2.4 A Positive Contribution. Well-designed signs in the right locations can make a positive contribution to Williston’s landscape, economy, and community life. Compliance with these standards will ensure that they do so.

25.1.2.5 Location Matters. Different types, numbers, and sizes of signs are appropriate in different parts of Williston and the standards adopted here vary accordingly.

25.1.2.6 Signs Require the Same Level of Planning and Design as Buildings. The need for signs must be anticipated at the beginning of every project. A master sign plan is required for all developments that could have multiple occupancies. Whether a master sign plan is required or not, all new buildings and major additions to existing buildings must be designed with a sign band or other definite locations for the placement of permitted signs. An application for a discretionary permit is not complete if it fails to show how signs will be placed or posted.

**Placement of Signs v Design of Signs.** To be clear, WDB 25.1.2.6 does not require applicants to include a specific number, type, or size of signs, or the design of individual signs in applications for discretionary permits. It simply requires that the applicant show where signs may be placed on the site or on proposed buildings or additions. The individual signs that fill those “blanks” will be separately permitted.

**25.1.3 Under what authority does the town regulate signs?** 25 V.S.A. § 2291(7) gives Vermont municipalities the authority to:

To regulate or prohibit the erection, size, structure, contents and location of signs, posters or displays on or above any public highway, sidewalk, lane or alleyway of the municipality and to regulate the use, size, structure, contents and location of signs on private buildings or structures.

Note also that signs are “structures” within the meaning of 25 V.S.A. § 4411, which provides the general authority for local zoning.

**25.2 Sign Regulation by Zoning District.** Because signs must be consistent with the purpose of each zoning district, the type, number, height, and size of signs allowed varies among the districts. See Table 25.A for specific requirements for signs in each zoning district. Signs in VZD must also comply with the *Williston Village Historic District Design Review Guide*. WDB 25.6 provides an explanation of Table 25.A.

**25.3 Prohibited Signs.** Some types of signs simply may not be placed or posted in Williston. Those types of signs are listed below. Also, any sign that does not comply with the standards established in this chapter, with any other requirement of this bylaw, or with an applicable, approved master sign plan is prohibited. The placement or posting of a prohibited sign is a violation of this bylaw, subject to enforcement as provided in WDB 7.4-7.6.

**25.3.1 Are animated signs permitted?** No. Animated, blinking, flashing, and moving signs or signs that appear to move are prohibited. This includes any sign that interferes with, imitates, or resembles an official traffic control sign, signal, or device, or attempts or appears to direct the movement of

traffic with motion or the appearance of motion. Holiday displays that comply with WDB 25.4.2.11 are exempt from this prohibition.

**25.3.2 *Are illuminated signs permitted?*** Illuminated signs are permitted in compliance with WDB 25.6.7 and Chapter 24 of the bylaw, but three types of illuminated signs are simply prohibited.

25.3.2.1 Beacons. The use of spotlights, searchlights, beacons, or similar lights that are projected toward the sky to attract attention is prohibited.

25.3.2.2 Glaring. Any sign with lighting that interferes with the safe operation of motor vehicles or bicycles or that unnecessarily trespasses on neighboring properties is prohibited.

25.3.2.3 Internally Illuminated. With the exception of the limited use of illuminated window signs, internally illuminated signs are prohibited. This prohibition includes “LED readerboard” signs that are often used to display changeable copy like announcements and gasoline prices.

**25.3.3 *Are off-premises signs permitted?*** An off-premise sign is a sign that advertises a commercial enterprise or event that is placed on a parcel of land that is not the same parcel where the enterprise or event is located. Off-premises signs are generally prohibited, but there are three minor exceptions to this standard.

25.3.3.1 Directional Signs. Off-premises directional signs may be permitted where a special event is permitted under the provisions of the Special Events Ordinance as described in Appendix E.

25.3.3.2 Product Advertising. Product advertising signs are “off-premise” signs and, thus, prohibited. A limited exception for product advertising using temporary signs is provided by WDB 25.8.

25.3.3.3 Off-premise agricultural signs. Signs placed in in the ARZD, VZD and RZD advertising the sale of agricultural products in the ARZD, VZD and RZD. While state law generally prohibits off-site signage, 24 V.S.A Section 494 (12) provides an exception as follows:

*Directional signs, subject to regulations adopted by the Federal Highway Administration, with a total surface area not to exceed six square feet providing directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place, or to farmers' markets that are members of the Vermont farmers market association selling Vermont agricultural products.*

Signs advertising farms, farmstands, and farmer’s markets that are members of the Vermont farmers market association and that are located in the RZD, VZD and ARZD may be placed off-premise, only in the ARZD, VZD and RZD, under the following conditions:

- Only one off-premise agricultural sign may be placed on any one parcel of land.
- Off-premise agricultural signs may not exceed four feet in height
- Off-premise agricultural signs may not exceed six feet in area and may be double-sided.
- Off premise agricultural signs must not be permanently anchored to the ground

- Off premise agricultural signs may not be placed more than 10 days prior to the commencement of the sales activity they advertise and must be removed no more than 10 days following the cessation of such activity.
- Off premise agricultural signs must be set back a minimum of five feet from the edge of any public or private right-of-way.
- No permit is required for the placing of such signs, but the property owner where the sign is placed must give his or her permission for the sign.

**25.3.4 Is product advertising permitted?** Only in the limited way permitted by WDB 25.8.

**25.3.5 Are pennants and similar attention-getting displays permitted?** No. Pennants, strings of flags, and other serial signs are prohibited.

**25.3.6 May I place a sign in the public right-of-way?** No sign shall be placed in a public right-of-way except for the official signs permitted by WDB 25.4.4.8. Any other sign placed in a public right-of-way is subject to immediate removal by the town or state and the enforcement procedures of WDB 7.4-7.6.

**25.3.7 May I hang a sign on a lamp post or other streetscape feature?** Complying official and regulatory signs may be attached to light standards, bridges, and other functional features of the streetscape, public or private, but only where doing so is consistent with WDB 25.3.6.

**25.3.8 Are roof signs permitted?** No sign shall be mounted on the roof of a building. Further, no sign that is attached to a building may extend above the roofline. The DRB may permit an exception to this prohibition for signs mounted on the sloping sides of gambrel or mansard roofs. Where such an exception is allowed the resulting sign/s will be treated as wall signs, and as part of the development's overall sign area.

**What is the roofline?** For the purposes of sign regulation, this bylaw defines the "roofline" as the lowest point defined by the eaves or, where there are no eaves or similar overhangs, the top of the wall.

**25.3.9 May I hang a sign on a tree?** No. Signs may not be painted on or attached to cliffs, boulders, trees, or any other naturally occurring feature of the landscape. The administrator may, however, permit an exception to this standard for building numbers and/or home business signs when no reasonable alternative exists or the placement of a freestanding sign would result in the unnecessary clearing of trees.

**25.3.10 May I place a sign on an antenna or tower?** No. Signs may not be attached to antennae or towers that are regulated by Chapter 21 of this bylaw. See WDB 21.3.5.3.

**25.3.11 May I use a parked vehicle to advertise my business?** The use of an unregistered vehicle or trailer as a sign is prohibited. The use of signs affixed to registered vehicles or trailers is also prohibited. This prohibition is not intended prevent a business from painting vehicles that are routinely used in the conduct of that business, but the administrator may require that existing parking areas where such vehicles are routinely parked be brought into compliance with the landscaped buffer requirements for parking areas that are adopted in this bylaw.

**25.3.12 Unsafe Signs.** The following types of signs are unsafe, by definition, and constitute a violation of this bylaw that must be removed upon receipt of a notice of violation sent under the authority of WDB 7.4:

25.3.12.1 ... any sign that interferes with drivers' or cyclists clear and unobstructed view of official traffic control signs and approaching or merging traffic;

25.3.12.2 ... any sign that prevents drivers or cyclists from seeing approved signs on neighboring properties;

25.3.12.3. ... any sign with lighting that interferes with the safe operation of motor vehicles or bicycles or that unnecessarily trespasses on neighboring properties; and

25.3.12.4 ... any sign that obstructs a pedestrian way. At least 70% of the width of the pedestrian way must be left open to passage when placing portable sign approved in compliance with WDB 25.7.2.3.

25.3.12.5 Any sign that is determined to be structurally unsound or to present a hazard of electrical shock will also be considered unsafe and subject to immediate repair or removal. The Administrator will use the most recent edition of the *Uniform or International Sign Code* as the basis for the enforcement of this standard.

## 25.4 Permit Requirements for Signs

**25.4.1 *Is a permit required for a sign?*** Usually, but it depends on the type of sign. WDB 25.4.4 exempts some types of signs from the need for a permit, but NOT from compliance with this bylaw. An administrative permit is required for the placement or posting of all other signs.

**25.4.2 *Is there a special application form for sign permits?*** Yes. Applicants must use the *Sign Permit Application* and *Sign Permit Checklist* provided by the town in preparing their applications.

**25.4.3 *Is there a fee for the placement or posting of a sign?*** The application fee set by the Selectboard must accompany all applications for permits for signs.

**25.4.4 *What type of signs may be placed or posted without a permit?*** No review is required for the placement or posting of non-illuminated signs of the types listed below or for the routine maintenance and repair of existing signs. This exemption from the requirement for a permit does not, however, exempt any sign from compliance with all other requirements of this chapter and this bylaw. Exempt signs do not count as part of the total number or area of signs permitted by this chapter.

25.4.4.1 **Building Numbers.** No permit is required for building numbers required by Williston's *Road Name and Road Location Numbering Ordinance*. The relevant portions of that ordinance appear as Appendix F of this bylaw. The placement of building numbers must comply with the standards set by Table 25.A.

25.4.4.2 **Changes in Copy.** No permit is required for changes in copy that use the originally approved font, size, and color of lettering or for copy changes to approved kiosks, bulletin boards, or other community information centers on which the messages posted are expected to change on a regular basis.

25.4.4.3 **Directional Signs.** No permit is required for the placement or posting of up to 4 directional signs that have an area of less than two (2) SF each and do not include a logo larger

than one-half (0.5) SF or a commercial message. See WDB 25.7.9 for additional restrictions on directional signs.

25.4.2.4 Donor or Recognition Plaques. No permit is required for the placement or posting of a donor or recognition plaque not exceeding two (2) SF on a permitted structure or sign.

25.4.4.5 Flags. No permit is required for the display of flags provided that:

- Each flag does not exceed 25 SF in size, and
- no more than four (4) are flown at any one time.

Proposed freestanding flagpoles must be included on the plans submitted for permit approval.

25.4.4.6 Holidays.

- No permit is required for seasonal holiday displays that include no commercial message or logo, that are not permanently attached to the ground or a structure, that are removed after 30 days, that are comprised of parts which do not individually exceed four (4) SF each.
- Signs that are temporarily displayed on town property for Williston's Independence Day (4<sup>th</sup> of July) celebration need not obtain a permit.

25.4.4.7 Memorial Signs. No permit is necessary for cornerstones or similar displays of the names of buildings and their date of erection or for messages in memory of individuals or groups that do not exceed six (6) SF in size, that are cut into a stone or masonry surface or that are cast in bronze or a similar material, and that permanently affixed to an approved building.

25.4.4.8 Regulatory Signs. No permit is required for the placement or posting of a regulatory sign placed by the town or the state. Regulatory signs may be placed in the public right-of-way in accord with the *Uniform Manual for Traffic Control Devices*.

25.4.4.9 Special Events. An additional permit is not required for the placement or posting of signs that are approved by a special events permit. The Administrator may place limitations on the number and location of these signs, and these signs may only be displayed for a maximum of 30 days. These signs are not allowed to be placed in the public right of way.

25.4.4.10 Temporary Signs. There are different standards for temporary window signs and all other temporary signs.

- No permit is necessary for the posting of temporary window signs that do not, cumulatively, exceed 25% of the total window area, that are each less than four (4) SF each in size, and that are removed or changed within 30 days of their posting.

- **No permit is required for the placement or posting of other temporary signs that have an area of six (6) square feet or less and are displayed for a maximum of 90 days per calendar year. The number of allowed temporary signs, whether or not they are exempt from the requirement of having to file an Administrative Permit, is regulated by WDB 25.8.3 Portable signs that are used on a regular basis in the same location are not temporary signs. See WDB 25.7.2.3.**
- **Grand Opening Banner. Any business opening in a new location may place one banner on the property where the business is situated for a period of up to 30 days, provided that the size of the banner does not exceed 24 square feet.**
- **See WDB 25.8 for additional restrictions on temporary signs.**

**25.4.5 What type of permit is required for signs that are not exempt?** You must have an administrative permit to place or post any sign that is not explicitly made exempt by WDB 25.4.4. Some common questions about permit requirements for signs are clarified below.

**25.4.5.1 Temporary Signs.** A permit is required for the placement or posting of temporary signs that are over six (6) SF in size or, in windows, over four (4) SF in size. This includes temporary signs advertising a business while a permanent sign is being prepared.

**25.4.5.2 Illuminated Signs.** With the exception of regulatory signs posted by a public agency, the placement or posting of illuminated signs is never exempt from the requirement for a permit.

**25.4.5.3 Master Sign Plans.** Posting a sign in compliance with an approved master sign plan requires an administrative permit, except for the posting of temporary signs approved by an approved Master Sign Plan.

**25.4.6 Are there signs for which discretionary review is required?** Yes.

**25.4.6.1 In the VZD.** A Certificate of Appropriateness is required for the placement or posting of any non-exempt sign in the Village Zoning District.

**25.4.4.2 Developments with Multiple Occupancies.** While the sign itself will not require a discretionary permit, the placement or posting of a new sign in an existing development that has, or reasonably could have, multiple occupancies will not be permitted until a master sign plan has been approved for that development, as provided by WDB 25.5. The administrator may permit the temporary placement or posting of a single sign of no more than 16 SF in size for a new tenant pending the approval of a master sign plan, with no such permit running for more than 180 days. Failure to obtain approval of a master sign plan within 180 days will void that permit and immediate removal of the sign will be required. The replacement of an existing sign with a sign of the same size or smaller in the same location will not trigger the requirement for a master sign plan.

## **25.5 Master Sign Plans**

**25.5.1 Are master sign plans required for new developments?** A proposed master sign plan must be submitted with the application for a discretionary permit for any development that will, or may reasonably be expected to, have multiple occupancies.

**25.5.2 Are master sign plans required for existing developments?** A proposed master sign plan must be submitted and approved by the DRB before any new sign for which a permit is required may be posted in any existing development that has, or may reasonably be expected to have, multiple occupancies.

**25.5.3 What should be included in a proposed master sign plan?** Everything required by the *Master Sign Plan Checklist*. Master sign plans must anticipate all permanent and temporary signs, including seasonal banners and portable signs like sandwich boards, except for signs that are exempt under WDB 25.4

**25.5.4 How are master sign plans reviewed?** Review of a proposed master sign plan will ordinarily be combined with the review of an application for a discretionary permit. Existing uses may, however, need to secure approval of a master sign plan to permit new signs. In such cases, the DRB will review the proposed master sign plan following the procedure for the review of an application for a discretionary permit.

**25.5.5 Can a master sign plan permit more or larger signs on my property?** Possibly. An applicant may propose, and the DRB may approve, a master sign plan that permits some variation from these standards. Where such a variation is permitted, the DRB must make a specific written finding that the variation is consistent with the comprehensive plan and the purpose and principles for sign regulation established in this chapter. While a Master Sign Plan that includes more or larger signs than are allowed by these standards can be approved by the DRB, signs proposed under a Master Sign Plan must adhere to all other standards of this chapter, including but not limited to maximum height, setbacks, and illumination.

**25.6 Basic Sign Standards.** Basic standards for the permitted types of signs are set in Table 25.A. Additional explanations and more detailed standards are provided here and in WDB 25.7.

**25.6.1 Is the number of signs that may be placed or posted on a site limited?** Yes. See Table 25.A for limitations on the number of permanent signs. In some cases, that table specifies the maximum number of signs permitted on a lot. In other cases, it specifies a number of signs permitted per point of access or a number of signs permitted per building entrance or occupancy. No maximum number is specified for permanent wall or window signs, the extent of which is limited by the total sign area requirement of Table 25.A.

25.6.1.1 Signs Per Building. For the purposes of this chapter, the term “building entrance” includes only principal entrances to a building or to parts of a building that has multiple occupancies. It does not include emergency exits, loading doors, or any entrance to which public access is restricted.

25.6.1.2 Signs Per Point of Access. For the purposes of this chapter, the term “point of access” includes only widely spaced principal entrances from a road or path to a development. It does not include emergency or service drives, nor does it include points-of-access that are less than 330 feet apart.

**25.6.2 Is the total area of signs that may be placed or posted on a property limited?** Yes. The combined area of all signs, excluding the signs that are exempted by WDB 25.4 and special events signs, must fall within the total sign area indicated for the zoning district in Table 25.A.

**25.6.3 Is the area of individual signs limited?** Yes. Table 25.A sets maximum areas for most individual signs.

**25.6.4 How is sign area measured?** The area of a sign is measured in square feet (SF) as the area within the smallest regular geometric shape - circle, rectangle, square, or triangle - that can be drawn around the copy of the sign, including logos, graphics, and all other contents, and the background on which that copy is displayed. The area of a freestanding, projecting, or suspended size is measured for one face of the sign only. This means that if, for example, a freestanding sign can have an area of 16 SF, it can have two faces, one facing each direction, that are 16 SF each.

**25.6.5 Are the dimensions of signs limited?** Yes.

25.6.5.1 Height: Freestanding. Table 25.A limits the height of freestanding signs. The height of a freestanding sign is measured from the highest point of the sign structure to the average grade of the ground on which the sign is based.

25.6.5.2 Height: Other Signs: Signs that are attached to a building may not extend above the roofline of that building.

25.6.5.3 Width. The total width of that portion of a sign structure that is more than three (3) feet tall shall not be more than double the width of the sign itself.

**25.6.6 Must sign structures conform to a construction code?** Sign structures must comply with the requirements of the most recent edition of the *Uniform or International Sign Code*.

**25.6.7 Are there standards for the illumination of signs?** Yes. In addition to the standards adopted here, the lighting of signs must comply with the standards of Chapter 25 of this bylaw. Note specifically that signs may not be uplit. External illumination must be directed downward onto the face of the sign.

25.6.7.1 Internal Illumination. With the exception of the illuminated window signs permitted by WDB 25.7.7, the internal illumination of signs is not permitted

25.6.7.2 External Illumination. External light sources must be fully shielded so as to direct light only onto the sign face.

25.6.7.3 Backlit Illumination. Backlit signs must take the form of individually illuminated channel letters or symbols. Again, the light sources must be fully shielded so as to direct light only into the channels.

25.6.7.4 Time Illuminated. Signs associated with a specific use may be illuminated only from one hour before that use opens until one hour after it closes. Other signs may be illuminated between 7:00 AM and 11 P.M.

**25.7 Standards by Sign Type.** The standards adopted here are in addition to those of Table 25.A and apply where the type of sign for which the standard is set is permitted in the zoning district.

**25.7.1 What are the standards for signs on awnings?** The lowest point on any awning must be at least 7 feet, 6 inches above the sidewalk or other surface above which it extends. Temporary signs

hung from awnings must maintain this clearance. Awning signs count toward the total number and area of signs allowed.

**25.7.2 What are the standards for freestanding signs?** Freestanding signs are placed or posted on their own structures. They are not attached to a building or any other structure and may be portable. Different types of freestanding signs may be described in different ways, such as ground signs, monument signs, pole signs, portable signs, etc., but they are all subject to the same standards, except where this bylaw explicitly provides otherwise. Freestanding signs count toward the total number and area of signs allowed.

25.7.2.1 Landscaping. Except as provided by Table 25.A for the VZD and for portable signs regulated by 25.7.2.3, the base of all permanent freestanding signs shall be landscaped with perennial and/or annual plantings. This landscaping shall be part of the landscaping plan required by Chapter 23 – Landscaping, and is subject to all standards adopted in that chapter.

25.7.2.2 Type/Design. The DRB may require that a specific type of freestanding sign be used in the village or – at the time it is reviewing a proposed master sign plan - in any development, in accord with the principles of WDB 25.1.

25.7.2.3 Portable Signs. Portable signs, such as sandwich board signs, are designed for easy placement, but given their usual use, they are considered permanent and included in the total sign number and area.

- Portable signs may not exceed 12 SF on each face and must be removed when the business they advertise is closed.
- Sandwich boards may take up no more than 30% of a pedestrian walkway and may not be placed in a public right-of-way. Sandwich boards must be brought inside when the business with which they are associated is closed.

25.7.2.4 Vending Machines. Outdoor vending machines and other sales displays function as and are regulated as freestanding signs.

**25.7.3 What are the standards for projecting signs?** A projecting sign extends outward from the wall of a building. It may be perpendicular to the building wall or at an angle, but its message is intended to be read primarily by people approaching from one or both sides. Projecting signs count toward the total number and area of signs allowed.

25.7.3.1 Distance from Building. No projecting sign may extended more than four (4) feet beyond the building wall from which it projects.

25.7.3.2 Clearance above Grade. The lowest point on a projecting sign must be at least 7 feet, 6 inches above grade.

**25.7.4 What are the standards for suspended signs?** A suspended sign is hung under the ceiling of an arcade or other overhanging structure, more or less perpendicular to the building. Its message is intended to be read primarily by people approaching along the arcade. Suspended signs count toward the total number and area of signs allowed.

25.7.4.1 Clearance above Grade. The lowest point on a suspended sign must be at least 7 feet, 6 inches above the floor of the arcade, porch, or other pedestrian way over which it hangs.

25.7.4.2 Under a Ceiling Only. A suspended sign may not project outward beyond the ceiling of the arcade, porch, or other pedestrian space in which it hangs.

**25.7.5 *What are the standards for wall signs?*** A wall sign is painted on or attached to a wall and runs parallel to that wall. Its message is intended to be read primarily by people facing the building. Wall signs count toward the total number and area allowed.

25.7.5.1 Newer Buildings. Wall signs must be placed within the sign band or other space specifically designated for signs.

25.7.5.2 All Buildings. Wall signs must be placed so as not to block emergency exits, fire escapes, or windows, or to obscure architectural features.

**25.7.6 *What are the standards for window signs?*** Window signs may be posted within the glass area of a window. Table 25.A sets a limit on how much of each window signs may cover. That total area includes both permanent and temporary window signs.

**25.7.7 *May some window signs be illuminated?*** Yes, but only in the commercial and mixed use zoning districts. Illuminated window signs may be illuminated by LED, neon or another noble gas, or any other form of illumination approved by the administrator. Only one illuminated window sign per window, not to exceed two (2) per business establishment is permitted. No illuminated window sign shall exceed two (2) square feet in area.

**25.7.8 *What are the standards for directory signs?*** Directory signs are used when more than one business shares a site or structure. A directory sign may be of any of the sign types allowed in the zoning district in which it is located and must adhere to the size limit for an individual sign. One directory sign is allowed at each point of access from a collector or arterial. Directory signs must be approved as part of a master sign plan, as provided by WDB 25.5 and may be exempted from the total area or number of signs allowed by the DRB in order to encourage good attention to wayfinding.

**25.7.9 *What are the standards for directional signs?*** Directional signs may be of any permitted type. They convey directions (RESTROOMS →), regulations (NO PARKING), and similar information. No permit is required for the placement or posting of up to 4 directional signs that have an area of less than two (2) square feet and do not include a logo larger than one-half (0.5) SF or a commercial message. These smaller directional signs are not counted against the permitted number or area of signs, but must comply with the individual sign standards of Table 25.A. More than four (4) smaller directional signs may be allowed by an administrative permit at the discretion of the Administrator. Larger directional signs or directional signs featuring a larger logo or other commercial message may be placed or posted only with an administrative permit. Larger directional signs are included in the total number and area of signs allowed.

**25.7.10 *What are the standards for banners?*** Banners are signs whose message is painted or printed on a flexible material. They are regulated as freestanding, suspended, or wall signs depending on how they are used. Banners are generally temporary, but their regular use (on lamppost standards, for example) may be approved as part of a master sign plan.

**25.7.11 What are the standards for recognition and donor signs?** Recognition and donor signs do not count against the overall permitted number or area of signs, but must comply with the individual sign standards of Table 25.A.

**25.8 Temporary Signs.** Temporary signs usually announce events, like elections, meetings, or sales that have a limited duration, but may be used for any lawful message. Portable signs that are used on a regular basis in roughly the same location are not temporary signs.

**25.8.1 Is a permit required to post a temporary sign?** Maybe. As provided by WDB 25.4.4.10, no permit is required for the placement or posting of a temporary sign that has an area of six (6) SF or less. Also, temporary signs associated with events requiring a special event permit are regulated through that permit, and do not need an administrative permit. An administrative permit is required for the placement or posting of any other temporary sign.

**25.8.2 What are the standards for the dimensions, height, and location of temporary signs?**

**25.8.2.1 How Table 25.A Applies.** Temporary signs may be any of the types allowed in the zoning district in which they are located and while they do not – with the exception of temporary window signs - count toward the total number or area of signs permitted, they must comply with the limits that Table 25.A places on individual signs of their type. Temporary window signs are counted as part of the total area of window signs permitted.

**25.8.2.2 Product Advertising.** Temporary signs, including temporary window signs, may provide information regarding product names, logos, prices, and names and/or logos of financial sponsors. This information may comprise no more than 50% of the total area of each temporary sign.

**25.8.2.3 A Reminder.** Temporary signs may never be placed in a public right-of-way or otherwise violate the prohibitions of WDB 25.3.

**25.8.2.4 Held Signs.** Signs held or waved by a person are temporary signs, subject to all requirements of this bylaw.

**25.8.3 What are the standards for the number of temporary signs?** Temporary signs that are not associated with a special event permit are limited to:

- One (1) sign per public road frontage for parcels with fewer than ten (10) commercial occupancies, credit will be given for no more than two (2) road frontages OR
- Two (2) signs per public road frontage for parcels with ten (10) or more commercial occupancies, credit will be given for no more than two (2) road frontages.

**25.8.4 What are the standards for the duration of temporary signs?** Temporary signs as permitted by 25.8.3 may be posted for no more 90 days in any one calendar year. Signs that will be posted for more than 90 days (a subdivision sale sign, for example) are considered permanent and may be placed or posted only with a permit.

**Event?** An event may include an election, a fund-raising campaign, a game, a meeting, or any other activity that has a definitely limited duration.

## 25.9 Abandoned and Nonconforming Signs

**25.9.1 What is an abandoned sign?** A sign is ‘abandoned’ when the use with which it was associated ceases to exist.

**25.9.2 Must abandoned signs be removed?** Yes. An abandoned sign must be removed within 90 days after the use with which it was associated ceases to exist.

**25.9.3 What is a nonconforming sign?** A nonconforming sign is an existing sign that would not be permitted if submitted for approval under this bylaw.

**25.9.4 May nonconforming signs be maintained and repaired?** Yes. Routine maintenance and repair of nonconforming signs is permitted.

**25.9.5 When must nonconforming signs be replaced with conforming signs?** A nonconforming sign may be used indefinitely, but must be removed, as required here, when circumstances change.

25.9.5.1 When Abandoned. As provided by WDB 25.9.1, any sign, conforming or not, must be removed within 90 days of when the use it identified ceases. New signs must comply with this bylaw.

25.9.5.2 Before a New Sign. No permit may be issued for a new permanent sign on a lot where there is a nonconforming sign.

25.9.5.3 When Damaged. A nonconforming sign must be removed or brought into compliance with this bylaw if it is damaged or destroyed and the cost of replacement or repair is 51% or more of the sign’s value at the time it was damaged or destroyed.

25.9.5.4 Change in Use. A nonconforming sign must be removed and, if replaced, replaced with a conforming sign when the use of the lot on which it is located changes.

**25.9.6 Can a nonconforming sign be relocated?** Yes, but only if the move is involuntary. Involuntary relocation may be caused by street widening or another town, state, federal, or utility action that is beyond the control of the sign’s owner.

**25.9.7 Can a nonconforming sign be altered?** Yes, but only if the change brings the sign into, or at least closer to, compliance with this bylaw. A nonconforming sign that will not be brought into full compliance may be altered only if its degree of nonconformity is reduced by at least 25%. Signs that are nonconforming due to their internal illumination must be brought into full compliance with the sign illumination requirements of this chapter when they are altered in any way that requires a permit. This means that a permit to change the panel or copy on an internally-illuminated sign will not be issued unless the internal illumination of the sign is eliminated. By January 1, 2025, all internally illuminated signs must either be removed, discontinued, or brought into compliance with the town’s regulations for the illumination of signs.

**What does that mean?** The degree of nonconformity is the extent to which a use is nonconforming. So, a sign that is 20 feet high instead of the permitted 12 feet, would have to be lowered by at least two feet (25% of 8 feet) for an alteration to be permitted.

## 25.10 Community Information Centers

**25.10.1 What is a community information center?** Permanent community information centers that allow the posting of information may be placed at municipal buildings and schools or on privately owned properties such as a green, park, or plaza, or other publicly visible locations. They do not count against the number or area of signs permitted by the bylaw if they bear only a small - maximum one SF - logo of the development, business, or institution.

**25.10.2 Are there standards for community information centers?** Yes. Community information centers may be provided in the form of bulletin boards, kiosks, or similar installations that are installed in accord with the standards this bylaw sets for accessory structures.

## 25.11 Public Art

**25.11.1 What is public art?** Public art includes sculptures, monuments, murals, and other objects of art that are not enclosed in a building or other structure and that will be visible from a public way. Public art may also be incorporated into functional objects like fountains, benches, lamp posts, and other streetscape features. Public art is often used to commemorate a person or event, but may also serve no purpose other than public enjoyment. While public art can and should help attract people to a place, it bears no commercial message, explicit or implicit.

**25.11.2 Is public art regulated by the bylaw?** It is not the intent of this bylaw to limit freedom of expression, but the town does need an opportunity to enforce the distinction between public art and signs. The town also needs to ensure that proposed public art does not constitute a hazard to drivers, cyclists, or pedestrians. For this reason, proposed public art must be included in all applications for discretionary permits and an administrative permit will be required for the addition of public art to an approved development.

**Table 25.A Basic Standards for Permanent Signs for Nonresidential Uses. For temporary signs see WDB 25.4.4.10. For signs associated with residential uses, see WDB 20.20.**

	ARRZD	RZD	VZD	MURZD
	for nonresidential uses permitted by WDB 31.1.3 and 31.A	for nonresidential uses permitted by WDB 39.1.3.2	for nonresidential uses permitted by WDB 42.1	for nonresidential uses permitted by WDB 38.1.3.2 and 38.1.3.3.
<b>Maximum Sign Area as a Percentage of the Area of the Street-Facing Wall of the Structure</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>8%</b>
Awnings	permitted only as approved in a master sign plan	not permitted	not permitted	permitted only as approved in a master sign plan
Building Numbers	The building numbers required by Williston's <i>Road Name and Road Location Numbering Ordinance</i> are permitted in all zoning districts.			
maximum number	1	1	1	1
maximum size	2 SF	2 SF	2 SF	2 SF
maximum height	as for freestanding signs	as for freestanding signs	as for freestanding signs	as for freestanding signs
Directional	permitted	permitted	permitted	permitted
maximum number	see WDB 25.7.9	see WDB 25.7.9	see WDB 25.7.9	see WDB 25.7.9
maximum size	2 SF	2 SF	2 SF	2 SF
maximum height	8 ft	8 ft	8 ft	8 ft
Freestanding	permitted	permitted	permitted	permitted
maximum number	1 permanent	1 permanent	1 permanent	1 per permanent per point of access
maximum height	8 ft.	8 ft	8 ft	8 ft
maximum size	16 SF	16 SF	16 SF	24 SF
setback*	10 feet	10 feet	5 feet	5 feet
landscaping	base of permanent freestanding signs must be landscaped as required by WDB 25.7.2.1	base of permanent freestanding signs must be landscaped as required by WDB 25.7.2.1	permanent freestanding signs will be placed in greenbelt, additional landscaping optional	base of permanent freestanding signs must be landscaped as required by WDB 25.7.2.1
Projecting	not permitted	not permitted	not permitted	permitted
maximum number				1 per building entrance, as per WDB 25.7.3
maximum size				6 SF
Recognition	permitted, see WDB 25.4.2.4	permitted, see WDB 25.4.2.4	permitted, see WDB 25.4.2.4	permitted, WDB 25.4.2.4
Regulatory	permitted, see WDB 25.4.4.8	permitted, see WDB 25.4.4.8	permitted, see WDB 25.4.4.8	permitted, see WDB 25.4.4.8
Special Events	permitted only as approved by a special events permit, see WDB 25.4.4.9			
Suspended	not permitted	not permitted	permitted	permitted
maximum number			1 per building entrance, as per WDB 25.7.4	1 per building entrance, as per WDB 25.7.4
maximum size			3 SF	3 SF
Wall	permitted	permitted	permitted	permitted
maximum number	limited by maximum area	limited by maximum area	limited by maximum area	limited by maximum area
maximum size	24 SF	24 SF	16 SF	32 SF
Window	10% coverage of the glass area facing public ways, including both permanent and temporary window signs	not permitted	10% coverage of the glass area facing public ways, including both permanent and temporary window signs	20% coverage of the glass area facing public ways, including both permanent and temporary window signs.

Table 25.A, continued

	IZDE, IZDW	all other commercial zoning districts
	for nonresidential uses permitted by WDB	for nonresidential uses permitted by WDB 33.A, 34.A, 37.A and 41.A
Maximum Sign Area as a Percentage of the Area of the Street-Facing Wall of the Structure		
	8%	8%
Awnings	permitted only as approved in a master sign plan	permitted only as approved in a master sign plan.
Building Numbers	The building numbers required by Williston's <i>Road Name and Road Location Numbering Ordinance</i> are permitted in all zoning districts.	
maximum number	1	1
maximum size	4 SF	4 SF
maximum height	as for freestanding signs	as for freestanding signs
Directional	permitted	permitted
maximum number	see WDB 25.7.9	see WDB 25.7.9
maximum size	2 SF	2 SF
maximum height	8 ft	8 ft
Freestanding	permitted	permitted
maximum number	1 per point of access	1 per point of access
maximum height	12 ft	12 ft
maximum size	32 SF	32 SF
setback*	5 feet	5 feet
landscaping	base of permanent freestanding signs must be landscaped as required by WDB 25.7.2.1	base of permanent freestanding signs must be landscaped as required by WDB 25.7.2.1
Projecting	permitted	permitted
maximum number	1	1 per building entrance, as per WDB 25.7.3
maximum size	12 SF	12 SF
Recognition	permitted, see WDB 25.4.2.4	permitted, see WDB 25.4.2.4
Regulatory	permitted, see WDB 25.4.4.8	permitted, see WDB 25.4.4.8
Special Events	permitted only as approved by a special events permit, see WDB 25.4.4.9	
Suspended	permitted	permitted
maximum number	1 per building entrance, as per WDB 25.7.4	1 per building entrance, as per WDB 25.7.4
maximum size	3 SF	3 SF
Wall		
maximum number	limited by maximum area	limited by maximum area
maximum size	24 SF	24 SF
Window	20% coverage of the glass area facing public ways, including both permanent and temporary window signs	25% coverage of the glass area facing public ways, including both permanent and temporary window signs

\* A greater setback may be required for signs near driveways and intersections. Signs may not be placed in a clear vision triangle.

- (ii) The DRB finds that the repair, relocation, or enlargement of the nonconforming structure will not increase flood levels in the regulatory floodway, increase the risk of other hazard in the area, or threaten the health, safety, and welfare of the public or other property owners.
- (iii) The permit so granted states that the repaired, relocated, or enlarged nonconforming structure is located in a regulated flood or other hazard area, does not conform to the ordinances pertaining to that area, and will be maintained at the risk of the owner.

450.8 Warning of Disclaimer of Liability. These regulations do not imply that land outside the areas of special flood hazard or land uses permitted within such districts will be free from flooding or flood damages. These regulations shall not create liability on the part of the Town of St Johnsbury or any official or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made hereunder.

450.9 Enforcement and Penalties.

- a.) This bylaw shall be enforced under the municipal zoning bylaw in accordance with 10 VSA § 1974a, § 4451, and § 4452. A copy of the notice of violation will be mailed the State NFIP Coordinator.
- b.) If any appeals have been resolved, but the violation remains, the ZA shall submit a declaration to the Administrator of the National Flood Insurance Program requesting a denial of flood insurance to the property pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.
- c.) Violations of the Accepted Agricultural Practices shall be enforced under this Section as violations of this bylaw. Such violations shall also be immediately reported to the Secretary of Agriculture for enforcement under 6 V.S.A. Section 4812.

## **Part 6 Other Permitted Structures**

### **Section 460 Mobile Building**

A mobile building shall be treated as a residential dwelling except mobile buildings may be located on a construction site as provided in Section 402(f) and a mobile home may temporarily be located on any land classified as either "RL-1" or "RL-2" for so long and only so long as such mobile home is used as an employee farm dwelling.

### **Section 461 Signs<sup>123</sup>**

461.1 Sign Permits and Applications. Unless specifically exempted by this section, all signs shall require the issuance of a zoning permit before public display. A zoning permit application for a sign shall include the following:

- a) A completed application form, signed by the property owner, along with the applicable fee;

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<sup>123</sup>2014 Adapted from 1973 Section 323

- b) A scaled rendering of the proposed sign indicating its dimensions in square inches or feet (length, width, height), and all materials and colors used;
- c) Where applicable, the type and method of illumination (i.e. external, internal, or backlit), including the fixture style, placement, and bulb wattage and type;
- d) The total square footage of all existing signs for the establishment; and,
- e) Photographs of the buildings or site where the sign is proposed.
- f) Applications involving free-standing signs shall also 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.
- g) Applications involving parallel and projecting signs shall also include a scaled building elevation indicating the location of all existing and proposed signs on the building face and the frontage dedicated to the establishment in linear feet.

461.2 Exempt Off-Premises Signs. The following types of signs are allowed in all zoning districts, shall be exempt from the requirements of this section and may be located off premises.

- a) Political signs: Signs advertising political parties and/or candidates provided:
  - (i) The size of such signs does not exceed thirty-two (32) square feet;
  - (ii) Such signs are not erected earlier than twenty-five (25) days prior the date on which absentee ballots may be voted in the election to which they pertain; and
  - (iii) All such signs are removed within three (3) days after the date of the election.
- b) **Temporary non-illuminated signs directing persons to temporary exhibits, shows or events provided:**
  - (i) **The size of each such sign does not exceed twelve (12) square feet in area; and,**
  - (ii) **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 clubs, churches or other nonprofit organizations provided:
  - (i) Such signs indicate only the name of the facility and the direction of the facility; and,
  - (ii) Such signs do not exceed four (4) square feet in area.

- d) Highway and official signs: Subject to approval by the town manager or his or her designee, 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 official public signs or notices placed on a temporary basis for use by emergency services or public utilities.

461.3 Exempt On-Premises Signs. The following types of signs are allowed in all zoning districts and shall be exempt from the requirements of this section, but must be located on premises.

- a) 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.
- b) Real estate sale/rental sign: One (1) 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: The American Flag of any size and other flags or emblems of religious, educational, or governmental organizations, not to exceed thirty-two (32) square feet with no single dimension greater than eight (8) feet provided they not exceed three (3) flags per fifty (50) feet of frontage, and are flown from supports of the buildings or grounds being occupied by the organization or an individual.
- d) 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.
- e) Property restriction signs: Non-illuminated signs such as those announcing no trespassing; the private nature of a road, driveway, or premises; or regulating fishing or hunting on the premises, provided the area of any such sign shall not exceed two (2) square feet.
- f) Holiday decorations: Holiday decorations displayed for and during recognized federal, state, or religious holidays to the extent they do not interfere with traffic safety or in any way becomes a public safety hazard.
- g) Home occupation signs: One (1) non-illuminated sign for a permitted home occupation not to exceed eight (8) square feet.
- h) Residential sign: A sign of less than two (2) square feet which serve only to indicate the name and address of residential occupants.

- i) Yard sale signs: Two (2) signs, each of less than eight (8) square feet displayed for no more than fourteen (14) days per year at any location advertising a yard sale.
- j) 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.
- k) Banners: In the commercial zoning district, all banners and in all other zoning districts, banners that do not exceed one hundred forty (140) square feet that are displayed for no more than three (3) weeks at a time.
- l) Streamers, pendants or bunting: In the commercial zoning district, all streamers, pendants and/or bunting and in all other zoning districts unlettered streamers, pendants or bunting for up to three (3) months per year at any location.
- m) Subdivision name sign: One (1) sign of twenty-four (24) square feet in area at each street entrance to a subdivision.
- n) Sandwich board: One sandwich sign per business located on premises and not on land owned by the town or a public or private street or road right-of-way.
- o) Seed signs: Up to one (1) sign per acre or part thereof, each sign no larger than four (4) square feet, identifying the source, type or brand of any seeds used to plant crops.
- p) Emergency signs: Signs at any location and of any size as authorized by the fire chief or his/her designee to address an emergency situation or event.

461.4 Prohibited Signage. No person shall paint, paste, brand, stamp or in any other manner place on or attach to any tree, rocks or other natural feature, utility pole, or other pole on any street or public right-of-way, any sign, excluding an official sign, or other advertisement, bill, notice, card or poster without the owner's permission. Except as otherwise provided herein, the following types of signs are prohibited:

- a) Any off-premise signs, balloons or other inflatable object 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 allowed.
- b) 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 or other permanent structure and an encroachment permit has been obtained from the Department of Public Works.
- c) 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.

- d) Signs that are visible from outside a building advertising the sale of products containing alcohol or tobacco comprising more than 20% of the area allowed for on-premises signs.

461.5 Non-Conforming Signs. Any existing sign or other advertising device that does not conform to the provisions of this ordinance 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 a change of lettering, logo or colors using the same materials within an existing sign frame subject to obtaining a zoning permit) except to bring the sign into complete compliance with this section. Notwithstanding the foregoing, after public notice and hearing, the DRB may allow a non-conforming sign to be enlarged, replaced, redesigned, or altered so that it is in greater compliance with this section than the existing nonconforming sign.

When a use is changed or terminated, any nonconforming sign associated with the use shall be removed within seven (7) days of the change or termination. Sign removal shall include all nonconforming frames, rods and support material required by the sign, as well as the entire sign itself.

461.6 Change in Use or Termination of Activity. When a use is changed or terminated, any conforming sign associated with the use shall be removed within ninety (90) days of the change or termination unless (a) a permit for a new sign reusing all or some of the existing panel, frames, rods, and support material has been issued and the sign has been installed, or (b) an extension has been granted by the administrative officer upon written request. Sign removal shall include all frames, rods and support material required by the sign, as well as the entire sign itself.

**461.7 Allowed signs in Commercial, Industrial, Mixed Use and Health Services Zoning Districts.**

a) On-premises signs shall be allowed as follows:

Sign Type	Dimensional Requirements	Commercial	Industrial	Mixed Use	Health Services
Parallel	Size	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage
	Maximum Size Per Individual Sign	75 sq ft	150 sq ft	75 sq ft	75 sq ft
	Maximum Height	Up to 20 ft above the height of the building	Up to 20 ft above the height of the building	Up to 20 ft above the height of the building	Up to 20 ft above the height of the building
Projecting	Size	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage	Greater of 50 sq ft total or 2 sq ft per linear foot of lot frontage
	Maximum Height	14 ft	14 ft	14 ft	14 ft
	Minimum Height of Sign Bottom	8 ft	8 ft	8 ft	8 ft
Free-standing	Maximum Size	75 sq ft	150 sq ft	75 sq ft	75 sq ft
	Maximum Height	40 ft	40 ft	40 ft	40 ft

b) Calculation of allowed sign area. The following shall govern the calculation of a sign's allowed area:

- (i) 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.
- (ii) 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.

- (iii) Where a sign consists of individual letters or symbols attached, painted, or applied directly to a building, wall, canopy, or window, the area shall be considered to be the smallest rectangle encompassing all the letters and symbols.
- (iv) In computing the area of a double-faced sign, only one (1) 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.
- (v) The maximum allowable area of a sign shall include all permanent signs attached, painted, or applied to a building façade. If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall be computed separately.
- (vi) The maximum allowable area of a free-standing sign shall not include any portion of a sign that is used solely for the purpose of displaying the grades and prices of motor fuels sold on premises except to the extent such area exceeds fifteen (15) square feet.

#### 461.8 Signs in Residential and Rural Lands Zoning Districts.

- a) Allowed signs: In addition to exempt signs, only the following on-premise signs shall be permitted in any Residential and Rural districts:
  - (i) Organization Signs. Parallel, projecting and free-standing 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.
  - (ii) Agricultural Signs. Up to four (4) signs advertising for sale agricultural produce raised on the premises, not to exceed eight (8) square feet in area.
  - (iii) Non-residential Building Sign. One (1) sign identifying a non-residential building, use, or activity, provided the area of such sign shall not exceed twenty (20) square feet.
- b) Restrictions on residential and rural district signs: The following restrictions regarding type and placement of signs pertain to all signs in all Residential and Rural districts:
  - (i) 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.

461.9 Sign Location, Design, Safety and Maintenance.

- a) Obstruction. No sign shall be placed in such a way as to impair public safety or a driver's necessary view along a highway or so that the sign prevents clear and unobstructed views between a highway and the access area for a driveway or other highway or between a highway and a public sidewalk. No sign shall be placed to prevent safe access to and from any door, window or fire escape.
- b) Setbacks. No portion of any free-standing sign shall be located any closer to any property line than fifty (50) percent of the required yard setback for the district in which it is located.
- c) All signs shall be constructed, supported and monitored so as to withstand a wind pressure of thirty (30) lbs per square foot.
- d) All signs supporting materials and mounts shall be maintained in a safe and well-kept condition.

461.10 Sign Lighting. In addition to the outdoor lighting requirements, the following requirements shall pertain to the lighting of all signs:

- a) Signs shall be illuminated such that the illumination does not create glare or unduly illuminate the surrounding area.
- b) Externally illuminated signs:
  - (i) Light fixtures used to illuminate signs shall be top mounted and shall direct the light downward toward the sign.
  - (ii) Ground mounted lights shall not be used unless under special circumstances where conditions of (i) above cannot be met and only if approved by the DRB.
  - (iii) Light fixtures shall employ the use of grids, hoods, or baffles, aimed so that light is directed only onto the sign face. The light source or reflective surfaces of the fixtures shall not be visible from the public way or surrounding properties.
- c) Backlit signs:
  - (i) 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 backlit sign shall not increase the measurable vertical light level at a point twenty (20) feet distant from the sign in any direction.
  - (ii) In addition to other permitted lamp types, neon or similar lighting may be used to illuminate backlit signs.

d) Internally illuminated signs:

- (i) Internally illuminated signs shall be designed with light lettering and graphics against a dark field.
- (ii) The sign cabinet shall fully enclose the light such that the light source is not visible from the exterior of the sign.
- (iii) Internally illuminated signs shall be designed so that lamps produce no more than two hundred (200) initial lumens per square foot.

461.11 Design Control District Signs. Within those portions of the Design Control District that are zoned Residential or Mixed Use, commercial signs, including overhanging signs, shall be permitted only if approved by the DRB in accordance with the following:

- a) Signage concept. Signs by businesses may identify their premises, or the products and services that they provide; and shall preserve and enhance the appearance of all structures in the Design Control District; preserve and enhance the appearance of public street, parks and other public properties and minimize the intrusiveness of sign structures, and visual clutter and blight and encourage an environment of economic prosperity and stability.
- b) Design and criteria for approval. In approving the design of a sign the DRB shall consider the following:
  - (i) The sign design, configuration, color and type face which may reflect the individual character of the business being advertised but should respect the character of the building and the streetscape.
  - (ii) The content of the sign shall be limited to the name, address, function or activity of the business identified by the sign.
  - (iii) The sign may include the brand name of a product (i.e. “Ben & Jerry’s Scoop Shop”), but only when such name is integral to the business name.
  - (iv) “Symbol Signs” in a shape representative of the business/service conducted or offered on the premises are permissible (i.e. sign in the shape of a mortar & pestle for a drug store, or a barber pole).
- c) Sign material. The material used in all signs shall comply with the following:
  - (i) No plastic signs are permitted. Signs are to be made of painted or varnished wood or other material approved by the DRB.
  - (ii) Stock signs purchased from distributors of commercial products are prohibited.

- d) Supporting hardware. The supporting hardware used in all signs shall comply with the following:
  - (i) Have brackets which are made of painted metal.
  - (ii) Brackets made of threaded pipe and pipe fittings are prohibited.
- e) Illumination. The illumination of signs shall comply with the following:
  - (i) Signs may only be illuminated by external, incandescent light sources.
  - (ii) All lights must be focused on the sign to eliminate undue glare for residents, pedestrians and motorists.
  - (iii) The installation of wire, conduit and electrical hardware shall not obscure/deface any architectural detail. Installation shall be completed so as to minimize visual clutter.
- f) Placement. The placement of all signs shall comply with the following:
  - (i) **No sign shall cover/obscure any architectural detailing or window openings.**
  - (ii) A business shall be allowed only one (1) overhanging sign per doorway or per facade.
  - (iii) No overhanging sign shall exceed ten (10) square feet on each side with a maximum four (4) foot projection over the sidewalk. The bottom of the projecting sign shall be at least ten (10) feet above the sidewalk and its top shall not extend higher than whichever of the following is the lowest:
    - (A) Twenty-five (25) feet above grade,
    - (B) The sill of the first level of windows above the first story, or
    - (C) The lowest point of the roof

**Section 462 Fences<sup>124</sup>**

462.1 Fences Required. A private swimming pool that is installed so that the bottom of the pool is more than two (2) feet below the average grade of the surrounding ground shall be enclosed by a fence at least five (5) feet in height or other acceptable means of restricting access as approved by the DRB.<sup>125</sup>

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<sup>124</sup> 2014 New except as otherwise identified.

<sup>125</sup> 2014 Adapted from 1973 Section 317.

462.2 Fence Permits and Applications. Unless specifically exempted by this section, all fences shall require the issuance of a zoning permit. A zoning permit application for a fence shall include the following:

- a) A completed application form, signed by the property owner, along with the applicable fee;
- b) A scaled drawing showing the location of the proposed fence and the appropriate boundary of the lot on which its location is proposed;
- c) A scaled elevation showing the appearance of the proposed fence;
- d) A description of the materials of the proposed fence.

462.3 Exempt Fences. The following types of fences shall be exempt from the requirements of this section except they must comply with Subsection 462.5.

- a) Fences that are:
  - (i) Constructed outside of the front yard setback required for a building;
  - (ii) Set back at least three (3) feet from all property lines; and
  - (iii) No more than eight (8) feet in height.
- b) Fences inside the front yard setback required for buildings that are:
  - (i) No more than four (4) feet in height;
  - (ii) At least three (3) feet from any property line; and
  - (iii) Do not obstruct a driver's necessary view along a highway or so as to prevent clear and unobstructed views between a highway and a public sidewalk and between a highway and the access area for a driveway or another highway.

462.4 The following fences are subject to conditional use review by the DRB:

- a) A fence for any use requiring conditional use review in its zoning district;
- b) A fence containing barbed wire installed more than eight (8) feet above the ground.

462.5 General Requirements and Restrictions.

- a) Except in the Rural Lands Zoning Districts, no person shall use chicken wire, barbed wire, hog wire, wire fabric, or razor wire as fencing materials.
- b) Except in the Rural Lands Zoning Districts, no fence shall be electrified.

## Section 319. Signs

- 319.A **PURPOSE.** By encouraging the orderly and appropriate design, scale and placement of signs, the provisions of this section are intended to:
- (1) Protect public safety;
  - (2) Promote effective identification, communication and wayfinding; and
  - (3) Maintain and enhance an attractive visual environment that fosters a healthy economy.
- 319.B **APPLICABILITY.** All signs must be designed and installed in accordance with the provisions of this section. The Administrative Officer must issue a permit before any sign is erected, enlarged, replaced, reworded, redesigned or altered in any way except as specifically exempted in [SUBSECTION 319.D](#).
- 319.C **PROHIBITED SIGNS.** The following signs are prohibited:
- (1) Off-premise signs, except for signs on a common scheme premises in accordance with [PARAGRAPH 319.G\(6\)](#).
  - (2) On-premise signs more than 1,500 feet from the main entrance of the advertised business or use, except for signs on a common scheme premises in accordance with [PARAGRAPH 319.G\(6\)](#).
  - (3) Abandoned signs.
  - (4) Signs attached to trees, utility poles, public benches, streetlights.
  - (5) Signs placed on any public property or public right-of-way, except for a political sign in accordance with [SUBSECTION 319.D](#) or a portable sign in accordance with [PARAGRAPH 319.G\(13\)](#).
  - (6) Signs that obstruct pedestrian traffic or visibility.
  - (7) Signs that limit drivers' sight distance, that could be confused with official highway signs or signals, that unduly distract drivers' attention, or that otherwise impair public safety.
  - (8) Signs illuminated by, composed of, or containing flashing, intermittent, rotating or moving lights except for electronic message signs in accordance with [PARAGRAPH 319.G\(7\)](#).
  - (9) Internally illuminated signs except if located within the Service Center or Industrial zoning districts.
  - (10) Signs that move or that incorporate any pennant, ribbon, streamer, spinner, balloon, inflatable or other similar moving, fluttering or revolving device except for revolving barber poles not more than 4 feet tall.
  - (11) Signs that use obscene, lewd, vulgar or indecent words or images.
  - (12) Signs more than 150 square feet in area.
  - (13) Signs, flags or banners mounted or extending more than 35 feet above the ground or, if building mounted, above the building's roofline.
  - (14) Signs designed and located primarily to be visible from Interstate 91.
  - (15) Signs placed on vehicles or trailers that are parked or located for the primary purpose of displaying the sign.
- 319.D **EXEMPT SIGNS.** The following signs do not require a zoning permit:
- (1) Public signs or notices erected or required by the town or state, including signs associated with public transit.

Figure 3-25. Sign Types Allowed

	ZONE 1	ZONE 2	ZONE 3	ZONE 4
Wall Sign	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Projecting or Hanging Sign	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Directory Sign	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Signs for Upper Floor Uses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free-Standing Sign, Multiple Uses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Free-Standing Sign, Single Use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Free-Standing Sign, Entrance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Electronic Message Sign	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary Sign	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Portable Sign	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Checked boxes are allowed. Unchecked boxes are not allowed.

Figure 3-26. Maximum Sign Area and Height

	ZONE 1	ZONE 2	ZONE 3	ZONE 4
<b>Building-Mounted Sign Area</b> (per foot of building/tenant frontage)	2.0 sf	2.5 sf	1.5 sf	0.5 sf
<b>Building-Mounted Sign Area</b> (building setback >200 ft from street)	2.0 sf	3.0 sf	2.0 sf	1.0 sf
<b>Building-Mounted Sign Area</b> (multi-story commercial building)	extra 12 sf per upper story of commercial	extra 18 sf per upper story of commercial	-	-
<b>Free-Standing Sign Area</b>	12 sf	64 sf	16 sf	12 sf
<b>Free-Standing Sign Area</b> (multiple uses)	-	extra 8 sf per use	-	-
<b>Free-Standing Sign Height</b>	6 ft	20 ft	10 ft	8 ft

Figure 3-27. Sign Types Illustrated



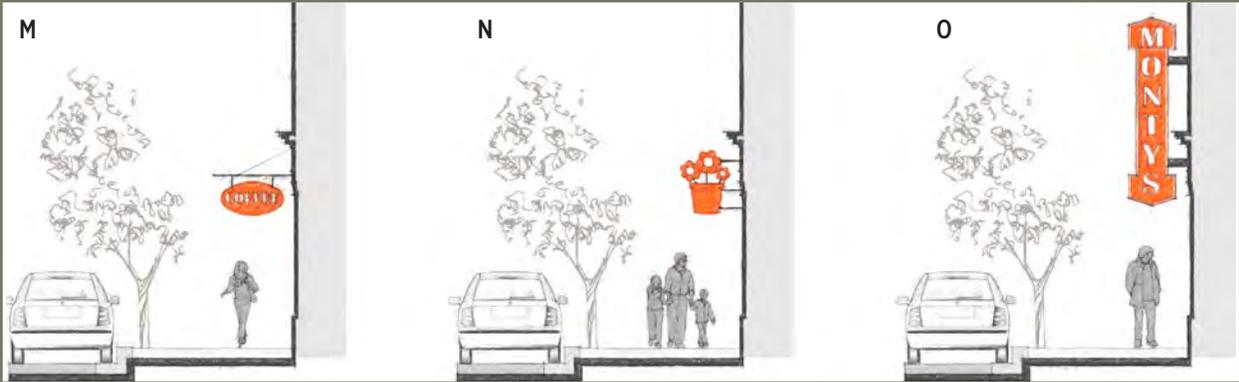
**BUILDING IDENTIFICATION SIGNS** (A) are integrated into the architectural design and provide information such as the name, address or construction date of the building. **BUILDING DIRECTORY SIGNS** (B) identify the name and location of building tenants. **PORTABLE SIGNS** (C) are small, movable signs that are placed directly outside the entrance to a place of business, commonly used to advertise restaurant menus or daily specials.



**WALL SIGNS** (D) are located on and parallel to a building wall. **WINDOW SIGNS** (E) are applied directly to a window or mounted or suspended directly behind a window. **TEMPORARY SIGNS** (F) are displayed on private property for a limited time, typically to advertise a special event.



**AWNING SIGNS** may be applied to the face (G), valance (H) or side (I) of an awning or canopy. Signs may be mounted partially or entirely above the upper edge of the valance and oriented parallel to the building (J). Signs may be suspended under an awning or canopy either parallel or perpendicular to the building (K). **MARQUEE SIGNS** (L) are canopy-type structures mounted over a theater entrance.



**HANGING AND PROJECTING SIGNS** are oriented perpendicular to the building and are suspended under a bracket, armature, or other mounting device (M) or otherwise structurally affixed to the building (N). Blade signs (O) are vertical signs that typically extend from one story to another.

- (2) Flags or insignia of a government when displayed in accordance with applicable federal and state codes and when not displayed in connection with commercial promotion.
- (3) Political campaign signs not more than 4 square feet in area.
- (4) Signs for a special event, which is sponsored by a public or nonprofit organization and will be open to the general public, that are not more than 40 square feet in area and are displayed not more than 1 week prior to the event and are removed within 24 hours after the event.
- (5) Signs for a garage sale, yard sale or similar sale of personal property that are not more than 4 square feet in area and are displayed not more than 2 days prior to the sale and removed within 24 hours after the sale.
- (6) One real estate or construction sign not more than 6 square feet in area per lot. For lots fronting on more than one street, one sign is allowed per street. For lots where multiple contractors are working, each contractor may display one sign. Such signs must be removed within 1 week following the sale or lease of the property or the completion of work on the property.
- (7) One open flag not more than 15 square feet or one open/closed sign not more than 2 square feet in area per business. The flag must be displayed only when the business is open. An open sign may be illuminated only when the business is open.
- (8) Posted, trespassing, hunting or similar signs not more than 2 square feet in area.
- (9) Non-illuminated name, address or similar identification signs not more than 2 square feet in area.
- (10) One non-illuminated wall sign for a home occupation not more than 1 square foot in area.
- (11) Non-advertising, decorative signs or banners on single-family or two-family residential property.

319.E **SIGN ZONES.** This section regulates signs based on the following zones:

- (1) **Sign Zone 1** encompasses the Urban Center, Village Center, and Neighborhood Center zoning districts.
- (2) **Sign Zone 2** encompasses the Service Center, Rural Business, and Industrial zoning districts.
- (3) **Sign Zone 3** encompasses the Mixed Use, Waterfront, and Institutional zoning districts.
- (4) **Sign Zone 4** encompasses the Residential Neighborhood, Rural Residential and Rural zoning districts.

319.F **GENERAL STANDARDS.** All signs must conform to the following:

- (1) Signs must be structurally sound and located so that they do not pose a threat to pedestrian or vehicular traffic.
- (2) Permanent free-standing signs must be self-supporting structures built on and attached to concrete foundations.
- (3) Signs must be designed to withstand a wind pressure of at least 30 pounds per square foot.

- (4) Signs must not be designed or located in a manner that would obstruct access to any fire escape, required exit, window or door.
- (5) Signs must not be designed or located in a manner that would obscure architectural features such as cornices, arches, columns, etc.
- (6) Sign lighting must meet the provisions of [SUBSECTION 317.G](#).

319.G **SPECIFIC STANDARDS.** All signs must conform to the following:

- (1) **Wall Signs.** Wall signs are allowed as specified in [FIGURE 3-25](#) and in accordance with the following:
  - (a) A building or tenant may have multiple wall signs.
  - (b) Wall signs may be mounted on any facade facing a street, public right-of-way or parking lot.
  - (c) The total area of all wall signs will be counted towards the maximum amount of building-mounted signs specified in [FIGURE 3-26](#).
  - (d) A wall sign must not exceed 80% of the length of the tenant space (for multi-use buildings) or building frontage (for single-use buildings).
  - (e) The sign may be externally illuminated, and within the Service Center or Industrial district may be internally illuminated (see [SUBSECTION 317.G](#)).
  - (f) Wall signs that project more than 6 inches from the wall must have a minimum clearance of 8 feet from the bottom of the sign to the grade below.
- (2) **Projecting or Hanging Signs.** Projecting or hanging signs are allowed as specified in [FIGURE 3-25](#) when designed and placed for the purpose of identifying the business primarily by a pedestrian walking along the same side of the street as the business or under a building arcade or canopy in accordance with the following:
  - (a) There must not be more than one projecting or hanging sign per customer entrance.
  - (b) The sign must not exceed 8 square feet in area.
  - (c) The area of a projecting or hanging sign will be counted towards the maximum amount of building-mounted signs specified in [FIGURE 3-26](#).
  - (d) The sign may be externally illuminated, and within the Service Center or Industrial district may be internally illuminated (see [SUBSECTION 317.G](#)).
  - (e) The sign must have a minimum clearance of 8 feet from the bottom of the sign to the grade below.
  - (f) The sign must not project more than 6 feet from the wall of the building on which it is mounted.
  - (g) The sign may encroach into required yards and over sidewalks to within 1 foot of the curb.
  - (h) Projecting signs must not be located closer than 24 feet to each other.
  - (i) If there will be multiple projecting signs mounted on a building, they must be compatible in type, scale and placement.

- (3) **Directory Signs.** Building-mounted directory signs are allowed as specified in [FIGURE 3-25](#) to identify uses that must be accessed from inside the building and in accordance with the following:
- (a) There must not be more than one directory sign per shared building entrance.
  - (b) The sign must not exceed 12 square feet in area.
  - (c) The sign must not be internally illuminated, but may be externally illuminated (see [SUBSECTION 317.G](#)).
  - (d) The area of a directory sign will not count towards the maximum amount of building-mounted signs specified in [FIGURE 3-26](#).
- (4) **Signs for Upper Floor Uses.** Building-mounted signs identifying upper floor uses are allowed as specified in [FIGURE 3-25](#) and in accordance with the following:
- (a) There must not be more than one sign per upper floor use.
  - (b) The sign may be a wall or projecting sign.
  - (c) The sign must be mounted above the ground floor level, preferably at the height and location of the advertised use.
  - (d) The sign must not be internally illuminated, but may be externally illuminated (see [SUBSECTION 317.G](#)).
  - (e) The area of upper floor use signs will be counted towards the maximum amount of building-mounted signs specified in [FIGURE 3-26](#).
  - (f) If there will be multiple upper floor use signs mounted on a building, they must be compatible in type, scale and placement.
- (5) **Free-Standing Signs.** Free-standing signs are allowed as specified in [FIGURE 3-25](#) and in accordance with the following:
- (a) There must not be more than one free-standing sign per site, except that sites with frontage on more than one street or more than one vehicular entrance from the street may have one free-standing sign on each street frontage or for each vehicular entrance.
  - (b) The size and height of a free-standing sign is as specified in [FIGURE 3-26](#). If there will be more than one free-standing sign per site, the total area of all the free-standing signs on the site must not exceed the maximum free-standing sign area specified in [FIGURE 3-26](#).
  - (c) The sign may be located within minimum required yards, but it must be set back at least 10 feet from all property lines.
  - (d) The sign may be externally illuminated and within the Service Center or Industrial district may be internally illuminated (see [SUBSECTION 317.G](#)).
  - (e) Free-standing signs must not be located closer than 50 feet to one another.
  - (f) Multi-use free-standing signs must not include any information other than the name of the site, its address and/or the name of tenants.
  - (g) Free-standing entrance signs must not include any information other than the name of the site or subdivision and its address.

- (6) **Common Scheme Premises Signs.** Signage for a single development site that consists of multiple uses, buildings or lots sharing a common entrance from the street must be designed and located in a comprehensive and coordinated manner in accordance with the following:
- (a) A common scheme premises may use free-standing signs that advertise multiple uses irrespective of whether the advertised uses are located on the same lot as the sign or the ownership of the lots.
  - (b) All signs located on a common scheme premises must be consistent with the site's approved signage master plan. The master plan must include proposed sign locations, sign types, and schematic design concepts for each sign type.
- (7) **Electronic Message Signs.** Electronic message signs are allowed as specified in [FIGURE 3-25](#) and in accordance with the following:
- (a) There must not be more than 1 electronic message sign per use except as specifically authorized in [SUBSECTION 319.H](#).
  - (b) Single-color, changeable-copy electronic message signs must not exceed 12 square feet in area.
  - (c) Multi-color changeable-copy electronic message signs are prohibited, except for theater marquees in accordance with [SUBSECTION 319.H](#).
  - (d) Changeable-copy electronic message signs must not flash, scroll, fade, brighten, dim or otherwise be animated or create the effect of movement.
  - (e) The sign must not change its message more than once every 15 minutes except that time-temperature signs may switch messages once every 4 seconds.
  - (f) The brightness of the sign must not be of such an intensity as to cause unsafe conditions. Electronic message signs that will be illuminated after dark must have their brightness adjust in response to ambient light levels. The brightness of the sign must not exceed 0.3 foot-candles over ambient lighting conditions when measured from the front property line.
- (8) **Window Signs.** No more than 25% of any ground-level window may be obscured by signs, whether permanent or temporary, whether on the interior or exterior of the window, and whether physically mounted on the window or otherwise mounted so as to be primarily viewed through the window. Window signs will not be included when determining the total number and area of signs allowed on a site.
- (9) **Awnings and Similar Accessory Structures.** Signs on awnings or similar accessory structures attached to a building will be considered wall signs for the purposes of determining the total number and area of signs allowed on a site.
- (10) **Fuel Station Canopies.** Except within the Service Center district, the fascia of any fuel station canopy that incorporates corporate or franchise identification elements (including graphic elements in corporate colors) will be considered a wall sign for the purposes of determining the total number and area of signs allowed on a site. Within the Service Center district, only those portions of the canopy fascia that contain corporate or franchise names or logos will be considered a wall sign for the purposes of determining the total number and area of signs allowed on a site (graphic elements in corporate colors will not be included).

- (11) **Instructional and Wayfinding Signs.** Instructional and wayfinding signs that will not be legible from off the premises will be allowed without limitation and will not be counted when determining the total number and area of signs allowed on a site.
- (12) **Temporary Signs.** Temporary signs will be allowed to advertise openings, sales or similar special events as specified in [FIGURE 3-25](#) and in accordance with the following:
- (a) There must not be more than one temporary sign per site except that multi-use sites in Sign Zone 2 may have not more than one temporary sign per use.
  - (b) A temporary sign must not be displayed for more than 21 days unless the Administrative Officer grants an extension.
  - (c) The Administrative Officer must only grant one permit for a temporary sign per site (or tenant within a multi-tenant property) within any 6-month period.
  - (d) A temporary sign must be securely attached to a building or a permanent free-standing sign.
  - (e) A temporary sign must not be more than 32 square feet in area. Temporary signs will not count towards the total amount of signs allowed under [FIGURE 3-26](#).
  - (f) A temporary sign must not be illuminated.
- (13) **Portable Signs.** Portable signs will be allowed to advertise daily specials, sales or similar information as specified in [FIGURE 3-25](#) and in accordance with the following:
- (a) There must not be more than one portable sign per business.
  - (b) A portable sign must only be placed out when the business is open.
  - (c) A portable sign must not be more than 8 square feet in area or 4 feet in height. A portable sign will not count towards the total amount of signs allowed under [FIGURE 3-26](#).
  - (d) A portable sign may be placed on the public sidewalk not more than 12 feet from the associated customer entrance provided that the sign does not restrict the sidewalk to a clear width of less than 3 feet.
  - (e) A portable sign must not be illuminated.

319.H **SPECIAL USE SIGNS.** There are special standards for the following uses:

- (1) **Theaters.** In addition to the signs otherwise allowed under this section, a theater may have either:
  - (a) A marquee, which may advertise current or upcoming movies, shows or performances. The marquee may project not more than 6 feet from the building and must not be more than 4 feet high and 12 feet wide. The three faces of the marquee may be used as signs. The marquee will not count towards the total amount of signs allowed under [FIGURE 3-26](#). In Sign Zones 1 and 2, the marquee may use a multi-color, changeable-copy electronic message sign and will not be subject to the size limitation of [PARAGRAPH 319.G\(7\)](#). The multiple faces of the marquee will be considered one electronic message sign.
  - (b) Temporary wall or window signs, which may advertise current or upcoming movies, shows or performances. These signs may be mounted in permanently installed frames. These signs will not count towards the total amount of signs allowed under [FIGURE 3-26](#) or be subject to the limitations of [PARAGRAPH 319.G\(8\)](#) or [PARAGRAPH 319.G\(12\)](#). The total area of these signs must not exceed 32 square feet

except that multiplexes may have another 8 square feet of signs per additional theater.

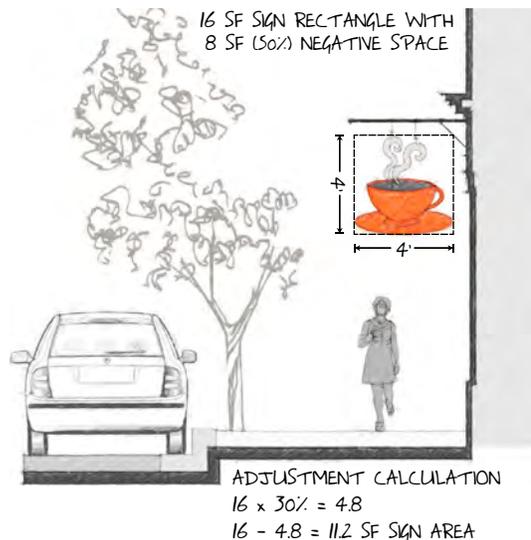
- (2) **Fueling Stations.** In addition to the signs otherwise allowed under this section, a fueling station may have either:
  - (a) One pricing sign affixed to each pump or not more than one pricing sign affixed to each side of the canopy. Such pricing signs will not count towards the total amount of signs allowed under [FIGURE 3-26](#). Each sign must not be more than 3 square feet in area. Pricing signs may be single-color changeable-copy electronic message signs provided that the standards of [PARAGRAPH 319.G\(7\)](#) are met. Multiple pricing signs will be considered one electronic message sign.
  - (b) One free-standing pricing sign per road frontage. The pricing sign will count towards the total amount of signs allowed under [FIGURE 3-26](#). The pricing sign may be a single-color changeable-copy electronic message sign provided that the standards of [PARAGRAPH 319.G\(7\)](#) are met.
- (3) **Farm Stands or Markets.** In addition to the signs otherwise allowed under this section, a farm stand or market may display not more than 4 non-illuminated signs advertising seasonal products. Such signs will not count towards the total amount of signs allowed under [FIGURE 3-26](#). Each sign must not be more than 4 square feet in area and must not be displayed more than 90 days in any calendar year.
- (4) **Public or Institutional Uses.** The Development Review Board may increase the maximum area of a free-standing sign for a public or institutional use in Sign Zones 1, 3 or 4 to not more than 24 square feet.

319.I **SIGN AREA.** Sign area will be determined in accordance with the following:

- (1) The sign area will include all the elements that serve primarily to communicate the sign’s message and not the structural elements supporting or serving as a background for the sign. If the support structure will be visually prominent, designed to attract attention, or otherwise integral to communicating the sign’s message, it will be included in the calculation of sign area.
- (2) The area of a sign will be calculated by drawing a rectangle around all the elements that serve to communicate the sign’s message. The area of signs that consist of multiple elements may be calculated by drawing a separate rectangle around each element and totaling the area.

Figure 3-28. Sign Area Adjustment for Non-Rectangular Signs

% NEGATIVE SPACE WITHIN SIGN AREA RECTANGLE	% REDUCTION IN CALCULATED AREA
<30%	-
30% to <50%	15%
50% to <70%	30%
70% or more	45%



- (3) Sign area will only include one side of a double-sided sign. The Development Review Board may modify the sign area requirements for three-dimensional signs.
  - (4) The calculated area of a non-rectangular sign will be adjusted to compensate for the amount of negative space within the sign area rectangle as specified in [FIGURE 3-28](#).
- 319.J **SIGN MAINTENANCE.** All signs must be maintained in a safe, legible and well-kept condition.
- 319.K **SIGN REMOVAL.** All signs must be removed within 90 days of its associated use being changed or terminated (if the sign is nonconforming see [SUBSECTION 319.L](#)). For lawful, conforming signs, only the message components of the sign associated with the changed or terminated use must be removed or covered and the support components may remain.
- 319.L **NONCONFORMING SIGNS.** The following apply to lawfully existing, nonconforming signs:
- (1) A nonconforming sign must not be altered, modified or reconstructed except if the alteration, modification, reconstruction or relocation:
    - (a) Will bring the sign into conformance with these regulations; or
    - (b) Will be limited to the replacement or repainting of a sign panel, individual letters or graphics within the same sign area with no change in the sign's primary content. No changes beyond normal repair and maintenance will be allowed to the structure or framing. The sign must not be relocated.
  - (2) Notwithstanding [PARAGRAPH \(1\)\(B\)](#) above if a business with a nonconforming sign undergoes a name change with no other changes in ownership or operation of the business, the sign may be altered, modified or reconstructed to update the business name by replacing or repainting a sign panel, individual letters or graphics within the same sign area.
  - (3) Otherwise a nonconforming sign must be brought into conformance with these regulations when:
    - (a) There is a change in the primary content of the sign, except as authorized in [PARAGRAPH \(2\)](#) above;
    - (b) An applicant proposes land development requiring major site plan approval; or
    - (c) The sign has been damaged to the extent that the cost of repair or restoration will exceed 30% of the replacement value of the sign immediately prior to the damage.
  - (4) A nonconforming sign must be removed within 6 months of its associated use being changed or terminated. Both the message and support elements of the sign must be removed.
  - (5) The primary content of the sign includes the text or graphics that must be included on the sign for the average person to be able to identify the business being advertised. It would typically include business names or logos, but would not typically include secondary elements such as owner names, addresses, phone numbers, advertising for products available on the premises, or affiliations.
- 319.M **VIOLATIONS.** In addition to the enforcement procedures of [CHAPTER 470](#), the Town of Brattleboro may remove any sign found to be in violation of this section or to be posing a hazard at the owner's expense.

## CHAPTER 320. NUISANCE & HAZARD PREVENTION STANDARDS

### Section 321. Applicability and Purpose

- 321.A The provisions of this chapter apply to all nonresidential land use and development except for agriculture and forestry in accordance with [SECTION 112](#).
- 321.B The provisions of this chapter are intended to protect neighborhood character and quality of life by preventing nonresidential land use and development from creating or contributing to adverse off-site impacts.

*This chapter establishes standards intended to limit the impact of development on the surrounding neighborhood.*



### Section 322. Noise

- 322.A Noise emanating off-site must be muffled, must not be distinct from the background sound level beyond the property line, and must not interfere with the reasonable use and enjoyment of property.

Figure 3-29. Maximum Noise Levels

RECEIVING PROPERTY	7 AM TO 10 PM	10 PM TO 7 AM
Residential or Undeveloped	55 dBA	45 dBA
Commercial or Institutional	60 dBA	50 dBA
Industrial or Agricultural	70 dBA	60 dBA

- 322.B Specifically, development must not generate noise in excess of the sound levels specified in [FIGURE 3-29](#) except that the noise levels specified in [FIGURE 3-29](#) will not apply during construction.
- 322.C The Development Review Board may approve sound levels in excess of what is allowed under [FIGURE 3-29](#) for a specified period, frequency and/or purpose.
- 322.D The Administrative Officer will use the following procedures to determine noise levels:
- (1) Any sound level meter used to measure noise levels must, at a minimum, conform to the specifications of the American National Standards Institute (Type S2A).
  - (2) The operator must calibrate the sound level meter immediately prior to its use.
  - (3) The sound level will be measured using the “A” weighting scale and the “slow” meter response.
  - (4) The sound level will be measured from:
    - (a) A location within the property receiving the noise that is at least one foot beyond the boundary of the property generating the noise; and
    - (b) At a height of 3 to 5 feet above the ground.
  - (5) The sound level will be measured as an average over a period of 15 minutes or more.

### Section 323. Glare

- 323.A Lighting must not be used in such a manner that it produces glare on streets or nearby property.
- 323.B Arc welding, acetylene torch cutting or similar processes must be performed so as not be visible from any point beyond the property line.

# Adopted by Select Board on 02/08/10

## Town of Bennington, Vermont

### Article 2. Sign Ordinance

#### Article 2-1 PURPOSE

The purpose of this ordinance is to regulate all exterior signs, and interior signs placed to be viewed from outside, in a manner that supports business vitality and provides useful and effective information for the public. The regulations are designed to encourage signs that are:

- Compatible with the character of the community;
- Clear and legible;
- Not distracting or confusing to motorists;
- Maintained in good and safe repair; and
- Of historic or architectural significance.

#### Article 2-2 DEFINITIONS

**Building Frontage:** The width of the facade as measured in a straight line from the outermost walls of the facade.

**Parapet:** A wall that extends above a roofline or cornice.

**Premises:** The lot, building, or group of related buildings comprising the location of one or more businesses or other ventures. Contiguous lots and buildings thereon under common or affiliated ownership that share access drives, parking lots, or other such facilities shall be considered a single premises.

**Right-of-Way:** Any publicly-owned space used for vehicular or pedestrian traffic, including the air space above. In the case of a roadway, when the boundary of the right-of-way is not known, it shall be assumed to be 25 feet from the centerline of the traveled way.

**Sign:** Any structure, display, device, or representation which is designed or used to advertise or call attention or direct a person to any business, association, profession, product, institution, service, entertainment, person, place, thing, or activity of any kind, and is intended to be visible from a public right-of-way. A sign shall include window signs, as defined herein, with the exception noted in the definition of window signs.

**Free-standing sign:** A sign supported by one or more poles, columns, or supports placed in or on the ground and not attached to any building or structure. A free-standing sign may have a maximum of two faces and no point of either face shall be more than two feet from the nearest point of the other face.

**Historic or architecturally significant sign:** A sign included on the

Inventory of such signs developed by the Bennington Historic Preservation Commission.

**Off-premises sign:** A sign which directs attention to a business, profession, commodity, service, or entertainment that is not carried on, sold, or offered on the same premises on which the sign is located.

**Projecting sign:** A sign attached to and projecting away from the façade of a building or structure.

**Residential sign:** A sign, either on a mailbox, free-standing post, or attached to a house, not exceeding two square feet in area, which identifies the street number of the house, the name of the occupant, or both.

**Surface-mounted sign:** A sign attached to and mounted parallel to the face of a building or structure, or where architectural features (for example, covered entryways or awnings) are clearly designed to accommodate a sign mounted parallel to the building façade.

**Window sign:** Any sign affixed to a window or door, or a sign placed within a building five feet or closer to a window or door so as to be plainly visible and legible through such window or door. Window displays of merchandise and small signs measuring no more than 100 square inches incorporated into such a display shall not be considered window signs.

**Sign Area:** For free-standing and projecting signs, the sign area is equal to the combined area of all faces of the signs, but does not include necessary supporting posts and brackets. Such posts and brackets shall be proportional to the size of the sign. Architectural elements of a sign not required for support of the sign shall be included as part of the sign area.

For surface-mounted and window signs, the sign area is equal to the area of an imaginary polygon enclosing the extreme limits of writing, representation, emblems, physical structure, or colors which form an integral part of the display or which are used to differentiate the sign from the background against which it is placed.

The area of signs which are on the Inventory of Historic and Architecturally Significant Signs shall be included in computing the total sign area permitted on the premises. If the area of such signs equals or exceeds the maximum allowed, no additional signs shall be allowed. However, historic signs located on a building which do not advertise the existing business (i.e., refer to a business that occupied the premises in the past) are not included in the allowable sign area.

**Tenant:** an occupant of land or premises, which is found or located within its own separate, physical space.

## Article 2-3 General Regulations

### A. Prohibited Signs

1. Signs which advertise any activity, business, product, or service no longer produced or conducted on the premises. Such signs shall be removed by the owner of the property within one year from the date of such discontinuance. Provided; however, that such signs may remain if legally existing prior to closure of the business, and such signs comply with this ordinance, as amended from time to time, in all respects.
2. Off-premises signs (except as set forth in Article 2-3 (C)(1)).
3. Signs which have blinking, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color.
4. Signs which consist of pennants, ribbons, streamers, spinners, other moving devices, strings of light bulbs, or similar devices. Holiday displays employing customary strings of white or colored lights or other holiday decorations are specifically excluded from this prohibition from November 1 through February 1.
5. Signs which contain moving parts. This prohibition shall not include non-rotating time or temperature devices provided that such devices are not used primarily as advertising mediums, nor shall it include traditional rotating barber poles.
6. Signs which appear to direct the movement of traffic or which interfere with, imitate, or resemble in whole or in part, any official traffic, directional, or route sign, signal or device.
7. Signs which prevent a clear and unobstructed view of official traffic control signs and approaching or merging traffic. Also, signs that are illuminated in such a way or which produce glare that has the effect of impairing the vision of the driver of a motor vehicle.
8. Signs, or portions thereof, which extend above the eave or bottom of the cornice of the façade on which such signs are located.
9. Signs which advertise a business profession, commodity, service, or entertainment which is prohibited by current municipal land use regulations.
10. Signs that project more than three feet over a right-of-way and signs and flags projecting any distance over a right-of-way which have less than 6' 8" clearance between the ground level and the lowest point of such signs or flags.

11. Signs (except signs erected by the Town or State) placed on any utility pole, Town or State sign post, street tree or other element of public infrastructure.
12. Signs (except window signs) inside a building which are clearly visible from the public right of way.

**B. Exempt Signs**

1. Traffic, directional, instructional, informational, and similar signs which are erected, maintained, and administered by the Town of Bennington or the State of Vermont. Town and State signs advertising a public building on the premises (e.g., Town Hall, State Office Building) are not exempt.
2. Signs without advertising displayed for the direction, instruction, or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas, or the like with an area not exceeding two square feet, provided that such signs are on the premises of the activity served by the sign.
3. Signs included on the Inventory of Historic or Architecturally Significant Signs, provided such signs comply with applicable State laws and with provisions of this ordinance dealing with illumination, maintenance, structural integrity, and safety.
4. Residential signs.
5. Signs, with an area of not more than three square feet, identifying stops for fare zone limits of common carriers by motor bus.
6. Signs located on trucks or other motor vehicles, provided that said truck or motor vehicle is not regularly parked near a highway in such a way that it becomes the functional equivalent of a free-standing or other regulated sign.
13. "Open Signs" (including flags) that comply with all of the provisions of this ordinance shall not be included in the gross square footage calculation for a premises, provided such signs are no larger than six square feet for a surface mounted sign or projecting sign (per side) and no more than 3' x 5' for a flag. Only one "open sign" per tenant is allowed. "Open signs" shall only be displayed during the business hours of the tenant or owner.
8. Surface mounted signs no greater than two square feet that identify the historic significance of a building or event.

**C. Temporary Signs**

Temporary Signs include signs in the following categories and may be displayed without obtaining a permit, provided all of the conditions noted herein are satisfied. Temporary signs must be maintained in good repair and shall not be erected or located in a manner that obstructs the vision of motorists or presents any other safety hazard. The maximum distance between the top of a temporary sign and the ground shall be no greater than 12 feet.

1. Signs for an event of a civic, philanthropic, service, or religious organization, fair, exposition, or similar event which are placed no earlier than seven days prior to the event and which are removed the day after the event is completed. Such signs may be displayed off-premises.
2. Signs announcing an auction, tag or special sale, special rate, or special entertainment (maximum of three such signs per premises at any one time) which:
  - (a) Do not exceed 12 square feet in area per sign (6 square feet per sign face) for a free-standing sign or 6 square feet for a surface-mounted sign.
  - (b) Are displayed for not more than five consecutive days, nor for more than 14 days of a calendar month, nor for more than 45 days of a calendar year.
  - (c) Are not displayed off-premises. If it is determined by the Town that such signs are displayed off-premises or otherwise not in compliance with this section, the signs may be removed upon discovery by the Town and returned to the owner, if known. All costs associated with removal shall be borne by the owner of the signs.
3. Construction signs, which shall have an area not to exceed 64 square feet (32 square feet per sign face) for a free-standing sign or 32 square feet for a surface-mounted sign, and with a minimum setback of 10 feet from the right-of-way. One construction sign per premises is permitted. Such sign shall not be erected earlier than four weeks prior to the start of construction and shall be removed within two weeks of completion of construction.
4. Real estate signs as are commonly used for the sale or rent of property, not to exceed 12 square feet in area (6 square feet per sign face). A maximum of one such sign may be displayed in the front yard of a lot (or front yards if a corner lot).

**D. Signs in the VR, MR, RR, RCON, and A Districts**

1. For home occupations, one freestanding sign not to exceed 12 square feet



square foot for each linear foot of front yard building frontage to a maximum of 60 square feet, provided, however, that the maximum sign area shall be 36 square feet if there is a projecting or free-standing sign on the premises. The total sign area of surface-mounted sign(s) for ground floor tenants shall be divided among tenants proportionate to the street frontage occupied by each with no one sign exceeding 40 square feet. The maximum size of a surface-mounted sign for an upper floor tenant shall be 12 square feet. Except for premises fronting on, or with a primary vehicular access to, Main Street, all premises in the OA District shall be limited to one surface-mounted sign two square feet or less in size per tenant. The Development Review Board may allow a surface-mounted sign to exceed the maximum limits set forth in this section if the Board determines that a larger size would be more in keeping with the intent of the *Preservation Guidelines: Business Signs* (Appendix A).

4. Premises that front on two separate streets, but which are not corner lots, are entitled to the free-standing or projecting and surface-mounted signs permitted pursuant to Section 2-3.E.1-3 for each side of the premises.
5. Internally illuminated signs are not allowed. All signs shall comply with the sign lighting standards for externally illuminated signs set forth in Article 2-3 (I) of this ordinance.
6. Notwithstanding any other provision(s) of this ordinance, all signs shall be attached to, or located in front of, only one building façade per premises, which building façade shall contain the primary commercial entrance(s) to the tenant space(s) or premises. However, buildings with facades parallel to and directly fronting on more than one street may, subject to all provisions of this ordinance, have signs on all building facades parallel to and facing a street(s), provided each such façade contains fenestration similar to the façade containing the primary entrance.
7. Signs in the *Historic Bennington Design Review District* are subject to both the requirements of this ordinance and design plan approval by the Development Review Board pursuant to the requirements of the Bennington Land Use and Development Regulations. The Development Review Board may impose limitations on signs in the Design Review District which are more restrictive in terms of size, design, and location than those which are included in this section.
  - In reviewing applications for approval of a sign in the Design Review District, the Development Review Board will be guided by the District sign and zoning regulations and the *Preservation Guidelines: Business Signs* which are included as Appendix A of this ordinance. Signs in the Historic Bennington Design Review District must not damage or cover important architectural features of the building and must be compatible with the architectural style, scale, materials, and

color of the building.

**F. Signs in the UMU, PC and I Districts**

1. One surface-mounted sign is permitted for each tenant on a premises. The total area of the surface-mounted sign for each tenant shall not exceed one square foot for each linear foot of front yard building frontage of the tenant space to a maximum of 32 square feet. A tenant with tenant space with front yard building frontage on more than one street may have one sign per tenant space façade facing a street, provided that each sign shall comply with the size restrictions of this section. For each tenant that does not have tenant space with front yard building frontage, one surface mounted sign not to exceed eight square feet located at the entryway providing access to such tenant space is permitted.
2. One freestanding sign is permitted per premises in accordance with the following standards:
  - a. Premises containing only one tenant may have one freestanding sign with a total sign area not to exceed 48 square feet (maximum of 24 square feet per side). The maximum height of the freestanding sign shall be 6 feet. The maximum width of the sign shall be 12 feet.
  - b. Premises containing two tenants may have one freestanding sign serving all tenants with a total sign area not to exceed 64 square feet (maximum of 32 square feet per side). The maximum height of the freestanding sign shall be 6 feet. The maximum width of the sign shall be 12 feet.
  - c. Premises containing more than two tenants may have one freestanding sign serving all tenants with a total sign area not to exceed 96 square feet (maximum of 48 square feet per side). The maximum height of the freestanding sign shall be 8 feet. The maximum width of the sign shall be 12 feet.
3. All freestanding signs shall include the street number of the premises.
4. All freestanding signs shall be set back a minimum of ten feet from the paved or gravel edge of all roads and driveways.
5. Signs mounted on the vertical, horizontal, or sloped surfaces of the building roof or on cornices are not permitted.
6. Movie theaters are permitted to have one sign displaying the movie

theater name and current movie listings, sized and configured as a 96 square ft. (maximum 48 sq. ft. per side) freestanding sign in accordance with the provisions set forth in this Section F.

7. No portion of a sign or supporting structure may extend into any public right-of-way.
8. In addition to the surface-mounted and free-standing sign allowed, an additional surface-mounted sign not to exceed five square feet is permitted at the rear entry of any building, provided it is for public access and is not internally illuminated.
9. Internally illuminated signs are not allowed in the UMU District. All signs in the UMU District shall comply with the sign lighting standards for externally illuminated signs set forth in Article 2-3 (l) of this ordinance.

Signs in the PC and I Districts may be externally or internally illuminated.

Externally illuminated signs shall comply with the sign lighting standards for externally illuminated signs set forth in Article 2-3 (l) of this ordinance.

Internally illuminated signs shall consist of light lettering or symbols on a dark background. Luminous transmittance is the ratio of light transmitted by a surface to the light incident upon the surface; the higher the luminous transmittance the lighter the surface.

- a. The lettering or symbols shall constitute no more than 40 percent of the surface area of the sign.
- b. The luminous transmittance for the lettering shall not exceed 35 percent.
- c. The luminous transmittance for the background portion of the sign shall not exceed 15 percent.
- d. Light sources shall be fluorescent tubes, spaced at least 12 inches on center, mounted at least 3.5 inches from the translucent surface material.

#### **G. Historic or Architecturally Significant Signs**

A sign may be considered historically or architecturally significant if it is included on the inventory of such signs developed by the Bennington Historic Preservation Commission based upon a determination that the sign:

1. Is at least 50 years old; or
2. Is an original example representing a generally recognized architectural style or period such as signs made of carrara glass or vitrolite from the Art Deco period; or

3. Is a sign of particular significance to Bennington due to its relationship to past events or businesses, or is a meaningful example of a particular period of Bennington's history; and  
Has not been significantly altered from its historic period, or if it has been altered, it must be restorable to its original function and appearance.

For a sign to remain on the Inventory of Historic or Architecturally Significant Signs it shall be maintained in its original historic function or appearance. If the Historic Preservation Commission determines alteration or repair has substantially diminished the importance of a that sign, it shall be removed from the Inventory.

#### **H. Window Signs**

Window signs are allowed in any district and are subject to design plan approval in all Design Review Districts. Window signs for each tenant may cover no more than 25 percent of the total area of any window occupied by that tenant on the side of the building where such signs are located. Window stenciling or lettering, placed on the inside of a window, is allowed as part of a tenant's total window sign coverage. The area of a window sign shall be measured in the same way as for surface-mounted signs; by drawing an imaginary polygon enclosing the extreme limits of writing, representation, emblems, physical structure, or colors which form an integral part of the display or which are used to differentiate the sign from the background against which it is placed. The combined area of all window signs for any tenant shall not exceed 32 sq. ft. Window signs may not be internally illuminated in any district, nor may they include any features prohibited pursuant to Article 2-3 of this ordinance.

#### **I. Sign Lighting Standards for Externally Illuminated Signs**

The following standards apply to all externally illuminated signs:

1. The average level of illumination on the vertical surface of the sign shall not exceed 3.0 foot-candles and the uniformity ratio (ratio of average to minimum illumination) shall not exceed 2:1.
2. Lighting fixtures illuminating signs shall be carefully located, aimed, and shielded so that light is directed only onto the sign façade. Lighting fixtures shall not be aimed toward adjacent streets, roads, or properties.
3. Light fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads, or properties.
4. Fixtures used to illuminate signs shall be top-mounted and directed downward (i.e., below the horizontal).

#### **Article 2-4 Structural Regulations**

**A. Maintenance**

All signs and their supports, braces, hooks, guys, and anchors shall be kept in good repair and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe, and orderly appearance. The time period of correction of disrepair shall not exceed 60 days from the date that the owner receives notice from the Town.

**B. Wind Pressure and Dead Load**

Signs shall be designed and constructed to withstand a wind pressure load consistent with environmental conditions in the Town of Bennington and shall comply with all applicable building code ordinances of the Town of Bennington.

**C. Obstruction to Safety**

All signs shall be erected, relocated, or maintained so as to allow free ingress to or egress from any door, window, or fire escape. No sign shall be attached to a stand pipe or fire escape.

**D. Setback**

Free-standing or plaza signs, and any appurtenant supporting structures, in any district, shall be set back a minimum of 2 feet from any front lot line and a minimum of five feet from any other lot line. Provided, however, that such signs and supporting structures located in the CB Zoning District shall comply with the building setback requirements for the CB District.

**Article 2-5 Non-Conforming Signs**

Signs legally existing at the adoption date of this ordinance, but which do not conform to the provisions of this ordinance, shall be considered non-conforming signs. A non-conforming sign may remain in place until removed, altered, resurfaced or relocated. All new signs shall comply with this ordinance in all respects, and all existing signs (including non-conforming signs) that are altered (including any change in text, logo, color, etc.), resurfaced or relocated shall comply with this ordinance in all respects.

**Article 2-6 Administration, Interpretation, and Enforcement**

**A.** This ordinance shall be administered, interpreted, and enforced pursuant to the provisions of Title 24 V.S.A. Chapter 117 (as well as 24 V.S.A. Sections 1974a and 1977 for enforcement purposes), as exists or as hereafter amended.

**B. Permits, Plans, Fees, and Inspections**

1. No sign shall be erected, altered, or relocated without a permit from the Zoning Administrator.

2. Applications for signs shall be accompanied by detailed plans and specifications, including sign colors and lighting details, and any other information as the administrative authority may require.
3. Sign permit application fees shall be established by the Select Board from time to time by resolution and a copy of the fee schedule shall be posted in the Town Office and be made available to each applicant upon request. Sign permit application fees shall be paid upon submission of the plans to the administrative authority.
4. Any sign may be inspected periodically by the administrative authority for compliance or any other requirements of law.
5. Application to add a sign to the Inventory of Historic and Architecturally Significant Signs shall be made by the sign owner to the Zoning Administrator on a form provided by the Town. Application shall include a photograph of the sign, a written description of the sign, a history to include the age of the sign, and any other pertinent information such as sign material or business activity in relation to the sign.

The Zoning Administrator shall refer the application to the Historic Preservation Commission within 15 days of receipt of the application. The Historic Preservation Commission will make a determination as to eligibility for inclusion in the Inventory of Historic and Architecturally Significant Signs within 15 days of receipt of the application from the Zoning Administrator.

In the event of denial for inclusion on the inventory, a sign owner may make an administrative appeal to the Historic Preservation Commission within 15 days of being notified of such denial. The appeal should be made in writing to the Zoning Administrator. Should this appeal be denied, the applicant has full rights to the appeals process provided for below (Article 2-7).

### **C. Violations and Penalties**

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Sections 1974a and 1977 as amended, et seq. and as described below.

A penalty of \$100 shall be imposed for the initial violation of any provision of this Ordinance. The penalty for the second offense within a one year period shall be \$250, and the penalty for each subsequent violation within a one year period shall be \$500. As per statute, in cases where a violation is not contested, a "waiver fee" shall be paid in the amounts of: \$50 for the first offense, \$125 for the second offense within a one year period, and \$250 for each subsequent offense within a one year period. Each day that a violation continues will constitute a

separate violation of this Ordinance.

If the enforcement strategy is not sufficient to deter violations, enforcements also may be initiated pursuant to 24 V.S.A. Sections 4451 and/or 4452, as they exist or are hereafter amended or revised. These additional penalties may be up to \$100 per day (with each day constituting a separate violation), and issuance of injunctions.

A sign determined by the Town to be in violation of the provisions of this ordinance may be removed by the Town and returned to the owner, if known. All costs associated with removal shall be borne by the owner of the signs.

The issuing official authorized to enforce this Ordinance is the Bennington Zoning Administrator or the Zoning Administrator's designee.

## **Article 2-7 Appeals**

Applications for appeals under this ordinance shall be to the Development Review Board as provided for in Title 24 V.S.A. Sections 4465 through 4472 as amended.

### **A. Right of Appeal**

Any applicant denied a permit or any person who has been ordered by the Zoning Administrator to incur expense in connection with a sign who believes such decision of the Zoning Administrator is based on an erroneous interpretation of this ordinance may appeal to the Development Review Board within 15 days from the date of such decision. The Development Review Board may uphold the Zoning Administrator's interpretation of this ordinance, or, if supported by accepted legal principles of interpretation of legislation, articulate a different interpretation of this ordinance, which interpretation shall be applied by the Zoning Administrator. The Development Review Board shall in no event vary or modify the provisions of this ordinance. A public hearing on any appeal shall be warned and held using those procedures as provided for in Title 24 V.S.A. Chapter 117.

### **B. Decisions on Appeal**

In rendering a decision or in rejecting an appeal and in enforcement of its decisions the Development Review Board and the Municipality shall comply with Title 24 V.S.A. Chapter 117.

## **Article 2-8 Validity**

This ordinance shall supersede all previous sign ordinances. The invalidity of any section or provision of this ordinance, and its application to any sign, shall not invalidate any other section or provision, or application, of this ordinance.

**Article 2-9 Exemptions**

Nothing in this ordinance shall exempt any applicant for a sign permit from full compliance with all other applicable state and local laws.

**THIS ORDINANCE IS HEREBY ADOPTED** by the Select Board of the Town of Bennington on this 8th Day of February, 2010. Said adoption shall be documented in the minutes of the Select Board, posted in five (5) conspicuous places within the Town of Bennington and a summary of this adopted Ordinance shall be published in the Bennington Banner within fourteen (14) days of its adoption and shall, unless a petition is filed as provided by law, become effective upon the expiration of sixty (60) days after the date of adoption.

\_\_\_\_\_  
Lodie Colvin

\_\_\_\_\_  
Matt Maroney

\_\_\_\_\_  
Jason Morrissey

\_\_\_\_\_  
Christopher Oldham

\_\_\_\_\_  
Sharyn Brush

\_\_\_\_\_  
John Zink

\_\_\_\_\_  
Joseph Krawczyk, Jr.

## **Appendix A**

### Preservation Guidelines: Business Signs

## Business Signage

While signs may or may not be directly attached to a building, they can significantly affect its character. Appropriate signage can enhance a building's historic character and visual interest; if not carefully designed, it can detract from character by obscuring or competing with historic design features, or even physically damaging a building. The good and bad effects of lighting and signage can be seen not only on Bennington's commercial streets, but in residential buildings as well, especially when these have been converted to office or commercial use.

### Basic Guideline

Maintain existing signs which contribute to the historic and architectural character of a building or street. All new signs should comply with both the general and historic preservation provisions of the Town of Bennington Sign Ordinance. The Ordinance provides detailed specifications for appropriate signage, and details compliance procedures. Do not install signs or related lighting fixtures which damage or cover important features of a building, such as storefront cornice moldings, windows, or substantial areas of wall. Signs and lighting should be compatible with the architectural style, scale, materials and color of the buildings they relate to. They should not have mechanical moving parts or lighting which is obtrusive in color or intensity. The primary recommended locations for signs in commercial buildings are across the flat fascias below the moldings of storefront cornices, and painted on the inside of display windows. Signs on converted residential buildings should be simple painted boards, smaller, less obtrusive and less prominently lighted than on commercial buildings. They may be either attached to the building wall, or on a non-obtrusive, free-standing post adjacent to the building.

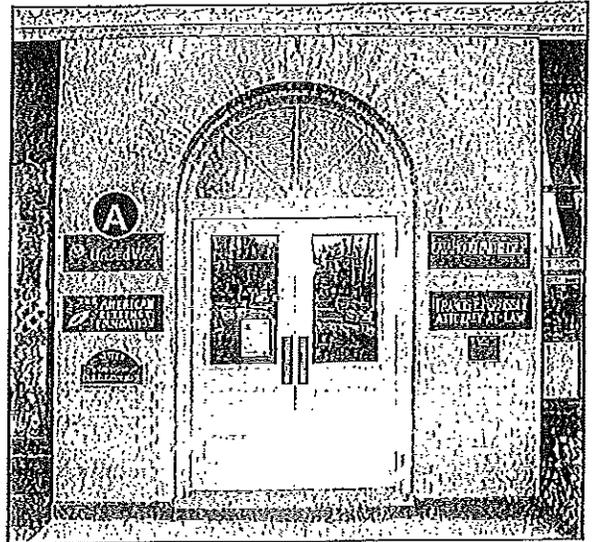


Fig. 5-85: 469 Main St. These small signs work together by being similar in size, shape and color.

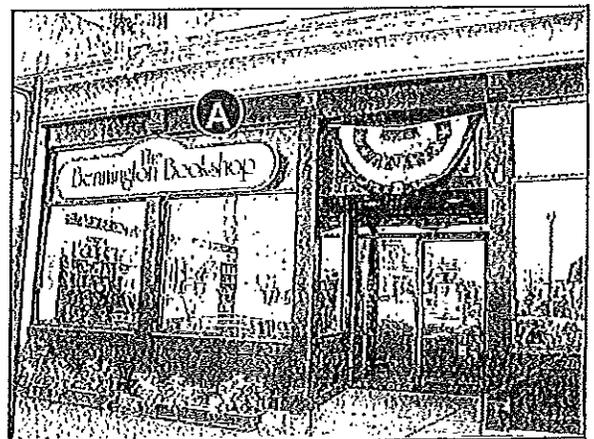


Fig. 5-86: 467 Main St. Sign is designed to blend in with the storefront materials and is framed by the structure.



Fig. 5-87: 441 Main St. Example of simple yet effective sign which is in keeping with the historic character.

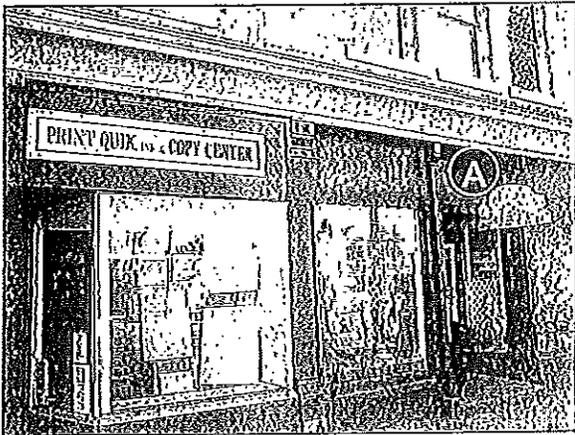


Fig. 5-88: 471 Main St. Hanging signs like this often are the least obtrusive to the architecture of the original façade.



Fig. 5-84: 332 Main St. Applied lettering framed within the design of the façade is often the cleanest solution.

### Appropriate

- A Installing new signs which respect the character of existing buildings, in conformance with the basic guidelines and the Town's sign ordinance.
- B Maintaining existing signs which add to character because of their age or design quality.

### Not Appropriate

- 1 Removing existing signs which add to character.
- 2 Installing new signs which cover or obscure existing features.
- 3 Installing new signs which are incompatible in architectural style, scale, location, materials or color, or which do not comply with the Town's sign ordinance.
- 4 Installing new signs which imitate historic signage to such a degree that they may be confused with actual old signs.

# Preservation Guidelines Business Signage

The examples on the following pages illustrate some problems and solutions relating to commercial signage design in historic districts. The photographs, drawings and commentary are taken from *Main Street Guidelines, Signs for Main Street*, published by the National Trust for Historic Preservation. See the Information Sources section for more complete references to this and other related publications.

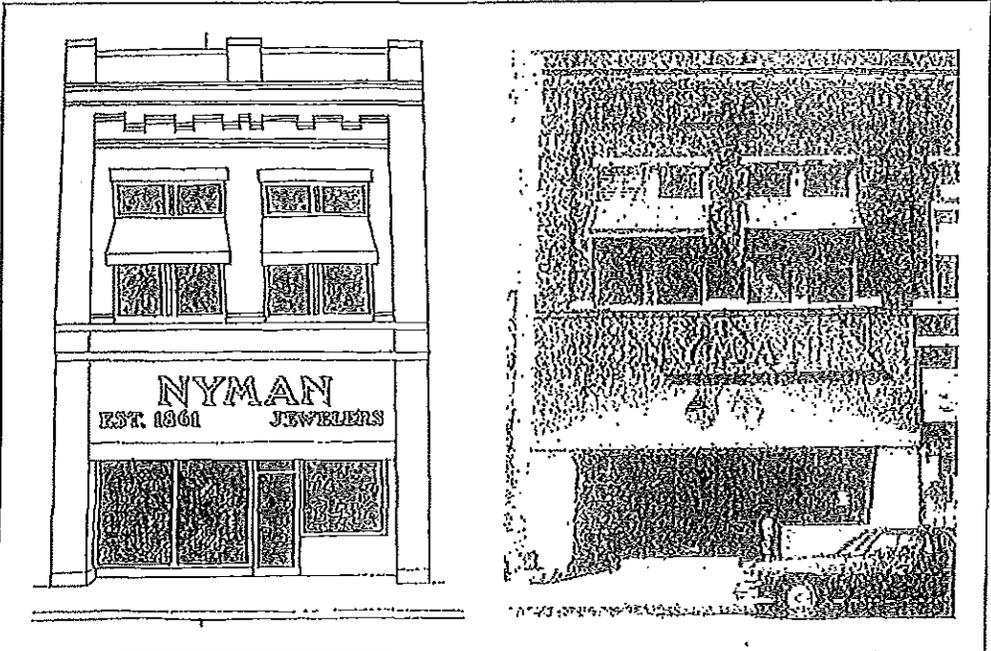


Fig. 5-85: On this storefront, the existing sign is too large, overpowering the building and its neighbors. The large colonial pediment detracts from the store name and is inconsistent with the building's architectural style. Removing this element and the paneling that extends to the second-story windows reveals more of the building fabric. A better proportioned sign that reuses the individual letters from the earlier sign can be placed in this space.

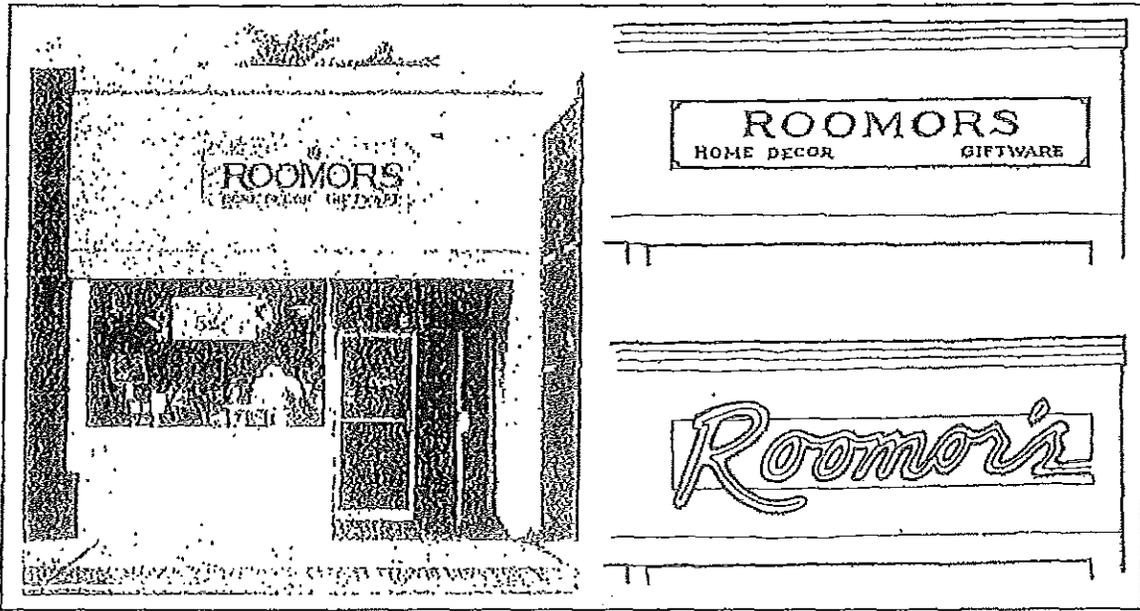


Fig. 5-86: Proper proportioning of a sign and its lettering can add distinction to a building of modest design. This brick facade has a recessed panel above the storefront that creates a natural area for sign placement. The same type of sign shown in the photograph becomes more impressive and relates better to the building when the sign board fills this area and the spacing and proportioning of its letters are corrected to project a different image of the business, neon or channel letters could be used in the same area.

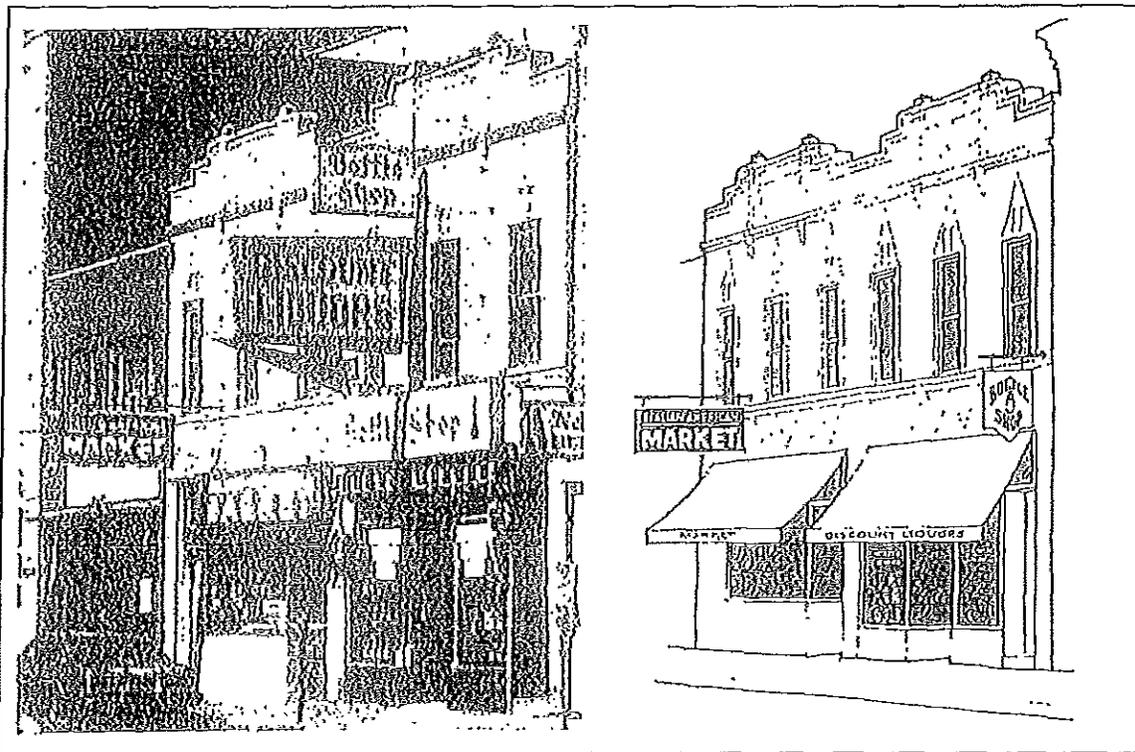


Fig. 5-87: If too numerous or too large, signs hung at right angles can easily overwhelm the proportions of a building, obscure its details and create a cluttered appearance along the street. In this illustration, the neon market sign has been moved closer the facade, the overscaled liquor signs have been removed and replaced by a smaller projecting sign and secondary information has been placed on awnings for both stores.

## Preservation Guidelines: Business Signage

Fig. 5-88: This drawing illustrates two solutions to covered transom areas. On the right, the corrugated aluminum has been removed, revealing transom windows. A sign that covers a minimum of the transom area has been installed. Additional information is placed on a sign over the entryway. On the left the metal paneling was removed, exposing an interior dropped ceiling. To disguise this, smooth plywood panels (painted dark gray to look like glass) were installed. Glass, painted a dark color on the backside, could also be used. The store name is painted directly on the wood or glass.

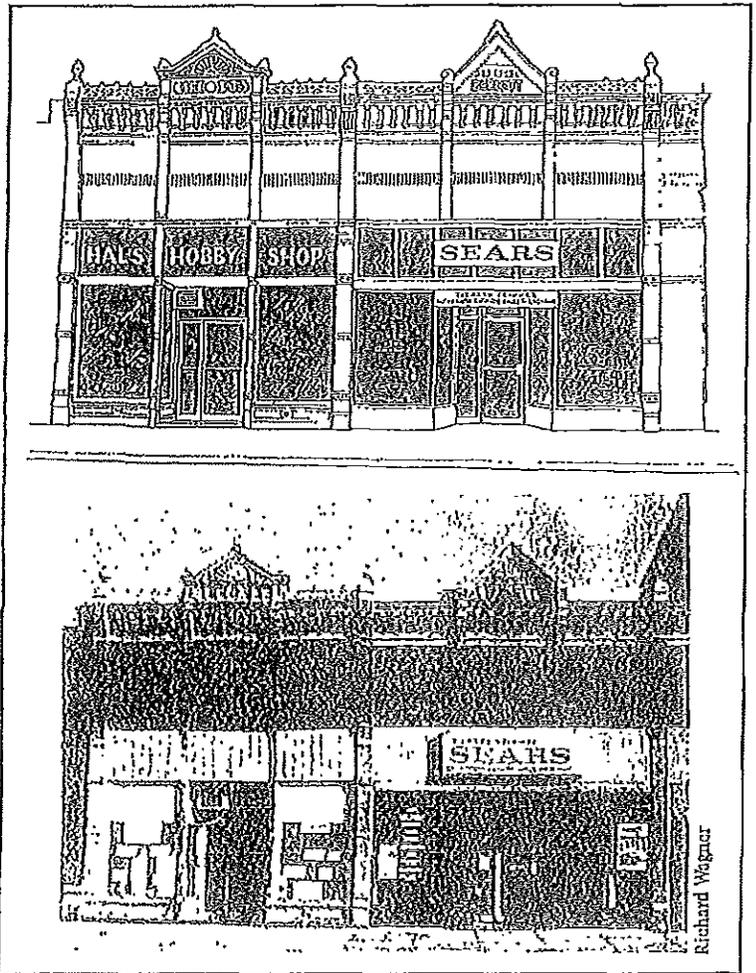


Fig. 5-89: When a business expands into one or more adjoining buildings, the owner will often hang a sign that spans them all. Such an oversized sign visually cuts buildings in half and diminishes the distinctive architectural features that differentiate them. As the drawing below illustrates, one solution is to install two smaller signs that expose the building piers, restoring proper verticality and scale in both facades.





Fig. 5-90; When a large building contains more than one storefront and each houses a different business, the signs should relate well to each other in terms of height, proportion, color and background value. Maintaining uniformity among these characteristics reinforces the building's facade composition while still retaining each business's identity.

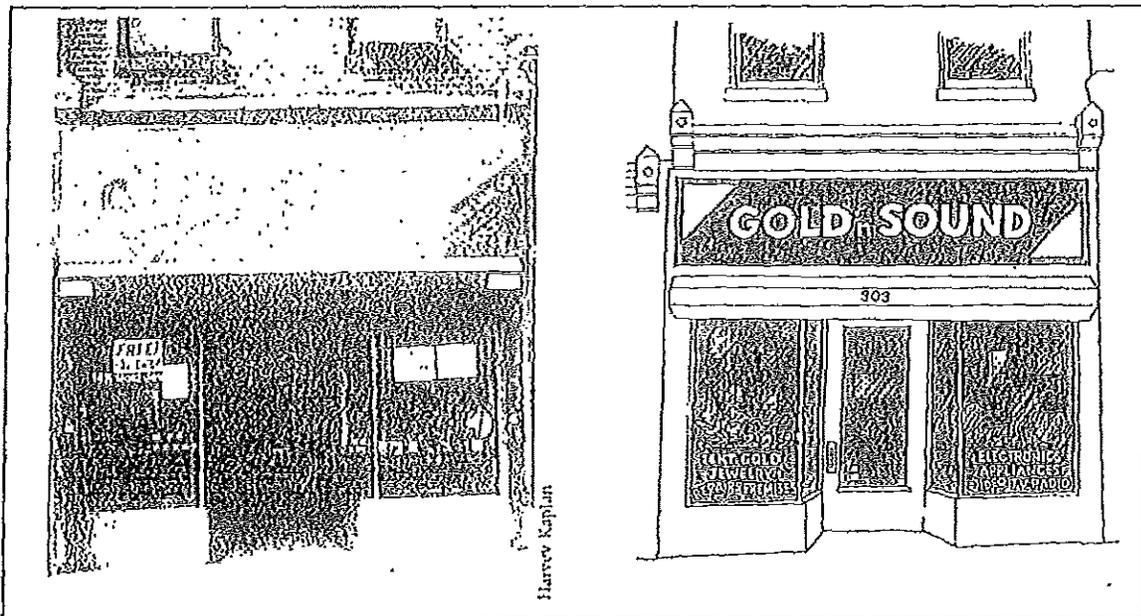


Fig. 5-91; Signs with too much information can be confusing; Keep the message clear and direct so that the name is easy to read. In the drawing, the shop name is the only message on the sign, and its lettering has been clarified, particularly the "G" in Gold. Secondary information appears in the lower third of the window, filling a void created by the raised window display. Other places for secondary signs include doors, awning valances, bulkheads and inside display windows.

## SECTION - 4.14 SIGNS

- A. **Intent.** The intent of this section is to promote and protect the public health, welfare and safety of the general public by regulating signs so as to reduce general hazards, traffic hazards and to preserve open space, natural beauty and the character of the City. It is further the intent to ensure that signs are clear, informative to the public and durable. Signs should be scaled and designed for their intended use. Signage that is glaring or too large creates distraction, intrudes into or lessens the urban experience, and creates visual clutter.
- B. **Applicability.** The regulations in this section shall apply to all signs in all Zoning Districts except the Gateway Districts and the Downtown Core District. Outdoor advertising as regulated by 10 V.S.A., Chapter 21: Tourist Information Services is not subject to these regulations. No signs, other than official street or highway signs, may be permitted in any zoning district except as specifically provided herein and have obtained a sign permit from the ZA.
- C. **Substitution Clause.** The owner of any sign which is otherwise allowed by this sign ordinance may substitute noncommercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.
- D. **Unsafe or Illegal Signs.** In the event that the ZA finds that any sign regulated by this ordinance is unsafe, insecure, or a menace to the public, the ZA shall give written notice to the named owner of the sign and the owner of record of the property on which the sign is located. Owner(s) so notified shall remove, repair, or bring into conformity such sign within thirty (30) days from the date of said notice. If said sign is not removed or repaired within the thirty (30) days the ZA shall revoke the permit issued for the sign, shall cite the owner for violation of the Zoning Regulations and may remove or repair the sign and will assess all costs and expenses incurred in the said removal or repair against the property owner of record.
- E. **General Sign Restrictions.** These include but may not be limited to:
1. **Direct Application.** Signs painted directly on all street facing façades are prohibited, but are permitted, subject to approval by the ZA or DRB as applicable, on the side, rear, and courtyard exterior walls.
  2. **Illumination.** No neon or illuminated sign shall be of such illumination or so located so as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device. Above street-level establishment signs may not be illuminated.
  3. **Vision Clearance.** Signs located on a corner lot shall either be placed outside the vision clearance angle or shall not exceed a height of three (3) and one-half (1/2) feet above finished grade. The vision clearance angle is defined as the triangular area enclosed by the centerline of two intersecting streets and a line joining the points on such centerlines at distances of 75 feet from their intersections.
  4. **Duality of Districts.** In a situation where land is located in a less restrictive district and a sign is to be located in a more restrictive district, the regulations of the more restrictive shall apply to the sign, unless the DRB determines that the regulations of the less restrictive district will not jeopardize the purpose and intent of this section.
  5. **Non-conforming Signs.** Non-conforming signs which are structurally altered, relocated, or replaced shall immediately be brought into conformance with this regulation.
  6. **Removal and Repair of Signs.** Any sign that no longer advertises an existing business conducted or product sold on the premises shall be removed by the owner within 60 days. All signs shall be maintained in good condition. Any sign that is abandoned, unsafe, insecure or a menace to the public may be removed by the city at the owner's expense if the owner takes no action to repair or remove the sign after a notice of violation per **Article VII. B** of these regulations.

F. **Temporary Signs.** All signs temporary in nature may be granted a temporary permit from the ZA for a period not to exceed 90 days. The DRB may grant an extension of the temporary permission for an additional 90 day period. Temporary signs shall not exceed 20 square feet in area, and shall not obstruct the vision clearance angle.

G. **Permanent On-Premise Signs in Residential Districts.** One sign per residence which conforms to the following requirements is permitted in the R-A, R-B and R-C Zoning Districts. Illumination of signs in residential districts may not cause any glare beyond the property boundaries.

1. One sign not exceeding 200 square inches and affixed to the building is permitted or;
2. One free-standing sign not exceeding 4 square feet, not exceeding the vision clearance height restrictions and located within the required front yard setback is permitted.

H. **Permanent On-Premise Signs in the Central Business District.** In reviewing applications, the following will be considered:

1. All proposed signs will not relate to the architecture of the building on which they are to be located.
2. All proposed signs will be compatible with the building or structure in terms of the size, color, shape, material and design.
3. **Maximum Size.** The maximum size of a sign or a series of signs for all establishments shall be determined as follows. Different types of signs are permitted per lineal frontage per establishment provided the combined primary and secondary signs do not exceed the maximum allowable sign area in square feet as listed here:

Lineal Frontage of Establishment	Maximum Allowable Sign Area in Square Feet
36 feet or greater	40 square feet
between 24 and 35 feet	35 square feet
between 16 and 23 feet	30 square feet
between 11 and 15 feet	25 square feet
10 feet or less	20 square feet

a. **Sign Area Calculation.** To calculate the area of a sign use the following formulas. Structural members bearing no copy which are not an integral part of the design shall not be included in calculating the surface area.

- i. Hanging Sign (double faced). Use the area of one side.
- ii. Three Dimensional Signs. Calculate the projected area of both the front view and the larger side view of the sign, then use one-half the total of the front and large side to determine the area.
- iii. Irregularly Shaped Signs. Use the area of the smallest plane geometric figure that will wholly contain the sign.
- iv. Square Footage. The primary and secondary sign area combined shall not exceed the maximum allowable sign area in square feet in **Section 4.14.H.3.a**. A secondary sign shall be no greater than 40% of the maximum allowable sign area, or less if the primary sign is greater than 60% of the maximum allowable sign area, such that the combination of the signs do not exceed the total maximum allowable sign area. The other permissible signs listed under **Section 4.14.H.5.b** below shall not be included in the maximum allowable sign area calculation.

4. **Height of Signs.** Any sign for a street level establishment must be at least 8' above the sidewalk and no higher than the window-sills of the second floor.
5. **Types of Permitted Signs.** The following signs, or combination of signs, are permitted in the Central Business District subject to the following provisions:
  - a. **Primary and Secondary Signs.** Primary signs are an establishment's major sign, which may be a combination of signs, such as a wall sign plus a hanging sign. Secondary signs may be used to indicate the secondary or alternate entrance or egress to a commercial establishment. The types of signs permissible as primary and secondary signs, and included in the maximum allowable sign area, include:
    - i. **Banner Signs.** Any sign which is constructed of fabric and is not rigidly attached on all sides. Shall not project more than 4'8" from a building or two-thirds (2/3) of the width of the sidewalk, whichever is less.
    - ii. **Hanging Signs.** Any sign supported by a building wall and not parallel to it which projects 8 inches or more. When a combination of sign types is allowed the hanging sign should consist for the most part of a graphic display with a minimum of lettering.
    - iii. **Wall Signs.** Painted, incised or three dimensional letters affixed to a signboard which is then attached to a building surface.
    - iv. **Window Signs.** Any sign which is permanently affixed to the surface of the glass of any part of any establishment. Signs visible through a window on a permanent basis are considered window signs even though they may not be affixed to the glass. Signs affixed to glass shall not occupy more than twenty percent (20%) of the glass area.
  - b. **Other Permissible Signs.** These signs are subject to review, but their area shall not be included in the maximum allowable sign area calculation
    - i. **Plaque or Historic Markers.** A permanent sign whose purpose is to indicate some significant fact about the building.
    - ii. **Plaza Signs or Free-Standing Signs.** Any sign structurally separate from the building, being supported by itself or on a stand and/or legs. These signs shall not exceed 8 feet in height and no more than 40 square feet in area. The base of all permanent freestanding signs shall be landscaped with perennial and/or annual plantings.
    - iii. **Directory Signs.** Any sign which contains listings of two or more commercial establishments who share a common entrance. The maximum size of all directory signs shall not exceed four (4) square feet and no more than one (1) square foot per establishment.
    - iv. **Portable Signs.** Portable signs, such as sandwich board signs, are designed for easy placement. Portable signs may not exceed 12 SF on each face and must be removed when the business they advertise is closed. Portable signs may take up no more than 30% of a pedestrian walkway and may not be placed in a public right-of-way. Portable signs must be brought inside when the business with which they are associated is closed.
6. **Dimensional Requirements and Sign Types for Signs above the Street-Level Establishments.** Above street-level establishments may use any of the signs allowed under [Section 4.14.H.5](#) above, but may not be illuminated. The maximum sign area for each establishment shall be twenty (20) square feet. In addition each establishment may have one sign placed on a directory sign.

- I. **Permanent On-Premise Signs in General Commercial (C-2), Industrial Zoning Districts.** Each business is permitted two signs including one applied façade sign and one free-standing sign, provided that said sign conforms to the following requirements:
1. **Applied Façade Sign:**
    - a. Such sign shall be applied onto and parallel to the face of the building.
    - b. Such sign shall not exceed 25 square feet in area.
    - c. Such sign shall not project more than 12 inches beyond the face of the building.
    - d. No part of such sign shall be situated above the height of the wall to which it is attached.
  2. **Free-standing Sign:**
    - a. Such sign shall not exceed an area of 25 square feet.
    - b. Such sign shall not be placed within any public right-of-way, and no closer than 5 feet to any sidewalk.
    - c. No sign shall exceed 16 feet in height from the top of the sign to the ground level.
    - d. Illumination of signs shall meet the requirements of the outdoor lighting standards in [Section 4.11](#).
    - e. The base of all permanent freestanding signs shall be landscaped with perennial and/or annual plantings.
  3. **Accessory Signs:**
    - a. Accessory signs are permitted provided that each such sign does not exceed a maximum area of 4 square feet and shall not exceed a total height of 6 feet. Illumination of signs shall meet the requirements of the outdoor lighting standards in [Section 4.11](#).
- J. **Electronic message center.** A sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means. Electronic message centers shall:
1. Meet all requirements of this section;
  2. Transition in an instant/static fashion; and
  3. Automatically dim to the ambient lighting with a maximum brightness of 0.3 foot candles over the ambient lighting.
- K. **Public Art.** Public art includes sculptures, monuments, murals, and other objects of art that are not enclosed in a building or other structure and that will be visible from a public way. Public art may also be incorporated into functional objects like fountains, benches, lamp posts, bike racks and other streetscape features. It is not the intent of this bylaw to limit freedom of expression, but the city does need an opportunity to enforce the distinction between public art and signs. The city also needs to ensure that proposed public art does not constitute a hazard to drivers, cyclists, or pedestrians. For this reason, proposed public art must be included in all development and a Zoning permit will be required for the addition of public art to an approved development.
- L. **Application Information, Signs.** The applicant shall submit the following information to the ZA:
1. A detailed drawing or blueprint showing the construction details, the lettering and/ or pictorial matter, the position of lighting and other extraneous devices, the position of the sign on the land or building, the position of the sign in relation to nearby buildings or structures and to any public or private sidewalk, street or highway. A photograph may be submitted in addition to, or instead of, the building drawing, but it must show the information required on the drawing.

2. A drawing, to scale, of the bracket, if any, including dimensions, color, material, and the method of affixing it to the sign and to the building.
3. Written consent of the owner of the building, structure, or land to which or on which the sign is to be erected, in the event the applicant is not the owner thereof.
4. A change in signage to a previously approved site plan shall require resubmission.

## SECTION 4.15 - STORMWATER MANAGEMENT AND EROSION CONTROL

- A. **Intent.** Temporary and permanent stormwater management and erosion control measures shall be used during all phases of development as necessary to minimize surface runoff and erosion, protect water quality, and to avoid damage to downstream properties and infrastructure in conformance with the following requirements.
- B. **Applicability.** These stormwater and erosion control requirements shall apply to all development as required by the Winooski Stormwater Regulations. The regulations in this section shall apply to all Zoning Districts.
- C. Stormwater management and erosion control systems serving the development shall be designed, installed and maintained in accordance with the City of Winooski Stormwater Regulations and best management practices accepted by the State (including Green Stormwater Infrastructure and Low Impact Development strategies), based on the upstream drainage area, size of storm events, soil and slope conditions, the proposed type and density of development, including total lot coverage at build-out.
  1. All stormwater management systems shall be designed to accommodate existing and anticipated runoff from the site, including anticipated flows from storm events and total runoff generated at build-out and, avoid flooding or damage to adjoining properties and downstream drainage facilities to the extent physically feasible to:
    - a. Maximize onsite infiltration and treatment through utilization of "Green Stormwater Infrastructure" (GSI) including infiltration, evapotranspiration, storage and reuse, and minimize surface runoff through the use of "Low Impact Development" (LID) strategies including minimize soil compaction, minimize total site disturbance, protect natural flow patterns, protect riparian buffers, protect sensitive areas such as wetlands and steep slopes, and reduce impervious surfaces (see [VT DEC Watershed Management Division's Green Infrastructure website](#) for more information on GSI and LID).
    - b. Integrate natural drainage systems on site and stormwater management system design.
    - c. Minimize the need for expensive system maintenance.
    - d. Integrate stormwater storage and treatment facilities (e.g, retention ponds) in site design.
    - e. Avoid flooding or damage to adjoining properties and downstream drainage facilities.
- D. The applicant shall demonstrate that existing storm/sewer systems infrastructure and downstream drainage facilities will be able to accommodate any additional runoff from the site. If increased runoff exceeds the capacity of downstream drainage facilities and infrastructure, storage or treatment facilities, the Publics Works Director, ZA and/or DRB may require that the applicant install:
  1. additional onsite stormwater infiltration, retention and treatment facilities and/or
  2. off-site improvements to downstream drainage facilities and infrastructure as necessary to accommodate additional runoff from the site.

Staff Updates for August 26, 2021 meeting:

1. Sign variance request has been received in the office for a business at 105 N. Main Street for the September DRB meeting – business owner still deciding if he wants to rescind application.
2. Assessor offer letter was sent Friday afternoon to the potential candidate.
3. Cow Pasture Committee is going in front of City Council to ask for approval to apply for an ERSA (Enhancement of Recreational Stewardship and Access) Trail Grant through the VT Dept. of Forests, Parks and Recreation, of which I will be the grant applicant and administrator if approved.
4. The City pool closed on August 20<sup>th</sup>.
5. Mask mandates are being considered inside City Hall for all staff and visitors, more to come next week.
6. VCRD (Vermont Council on Rural Development) is hosting our Community Visit on August 25<sup>th</sup>, with multiple sessions to attend at your leisure and a free community dinner. Please see the attached flyer at the end of this summary for your use. As of 8/19/21, all sessions are now in person and virtual, so that anyone can now attend. Flyer attached here.
7. Don't forget the Barre City Community Picnic on September 1, 3 pm to 6 pm in Currier Park
8. I am assisting Turning Point Center of Central Vermont with an environmental review and a VCDP implementation grant (grant app similar to Downstreet's recovery residence project) for 18 S. Main St. They currently are in the North End, and want to move to 18 S. Main and expand their day use facility to act as a model Peer Recovery Center for persons suffering from drug and alcohol addiction in a safe and welcoming setting. They are requesting approval to apply in front of City Council on Sept. 14<sup>th</sup>.

# All In for Barre

Wednesday  
**Aug 25**

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step 1

Community Forums to Set Direction for the Future



<https://bit.ly/ForBarre> ▶

Join forums with your friends and neighbors – in person or online – to share your ideas for the future of Barre! Find links to join Zoom sessions at 2:30, 4:15 and 7:00 here: <https://bit.ly/ForBarre> or join in person:

	Aldrich Public Library <i>6 Washington St, Barre</i>	Barre Opera House <i>6 N Main St, Barre</i>	Church of the Good Shepherd <i>39 Washington St, Barre</i>
2:30-4pm	<b>Substance Use Disorder</b>	<b>Aging in Barre</b>	<b>Transportation</b>
4:15-5:45pm	<b>Housing &amp; Homelessness</b>	<b>Diversity, Equity &amp; Inclusion</b>	<b>Opportunities in the Face of Climate Change</b>
6-7pm	<b>FREE COMMUNITY DINNER</b> @ Elks Lodge, 10 Jefferson St <i>Eat at the Elks Lodge or pick up a meal to eat outside</i> Pasta, salad, bread, & dessert provided by the Elks Lodge and the City of Barre		
7-8:30pm	<b>Supporting Barre Students &amp; Families</b>	<b>Recreation, Arts &amp; Culture</b>	<b>Addressing Empty Buildings &amp; Downtown Vitality</b>

**ALL ARE WELCOME!** Attend the sessions most important to you!

 Transportation support available. Call or text Casey at 802-272-8418 or email [cengels@capstonevt.org](mailto:cengels@capstonevt.org).  
Childcare offered at the Aldrich Public Library for library forum participants



VCRD will follow State Covid guidelines. **Masks & distancing encouraged**



The "All In for Barre" Community Visit process is a 3-month process that invites Barre community members to come together in a neutral and facilitated structure to examine issues, decide top priorities and develop action plans for the future of Barre. Find out more at [bit.ly/ForBarre](https://bit.ly/ForBarre) or contact VCRD at 802-223-6091 or [info@vtrural.org](mailto:info@vtrural.org).