

Proposed Draft: Sign Regulations

*Prepared by the Durham Planning & Zoning Commission
Subcommittee on Zoning Regulations*

Recommended to the Commission for Review and Public Hearing

DRAFT 3/18/2015

*(prior revision dates: 7/8/14, 8/4/14, 8/18/14, 9/2/14, 10/15/14,
10/17/14, 12/23/14, 1/7/2015, 1/21/2015, 2/4/2015, 2/18/2015, 3/4/2015)*

SECTION 02. DEFINITIONS

02.19.02. Sign

Any structure, part thereof, or device or inscription attached thereto or painted or represented thereon, which is located upon any land, on any building, or on the outside of a window, and that displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, corporate flag, trademark, or other representation used as, or in the nature of, an announcement, advertisement, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry. This definition shall not include the flag, emblem, insignia, poster, or other display of any nation or political subdivision including traffic or similar regulatory devices; or legal notices, warnings at railroad crossings, or tablets that are primarily memorials, or emblems of religious institutions that are attached to buildings.

PROPOSED NEW SECTIONS/LANGUAGE (*within Section 02., Definitions*)

02.19.02.01.a. Sign – Permanent

Any sign that requires a building permit under the Connecticut Building Code or is permanently affixed to the ground or affixed/applied to a building.

02.19.02.01.b. Sign – Nonpermanent

Any sign that does not meet the definition of a permanent sign.

02.19.02.01.c. Sign – Internally Illuminated

An internally illuminated sign is defined as a sign that is lighted through the use of internal electric fixture or lamp bank or is self-luminous.

SECTION 11. SIGNS AND OUTDOOR ADVERTISING STRUCTURES

11.01.

No permanent sign, billboard, or outdoor advertising structure (hereinafter collectively referred to as "sign" or "signs") shall be established, constructed, reconstructed, enlarged, extended, moved, or structurally altered until an application for a sign permit has been approved by the Zoning Enforcement Officer in accordance with these regulations. While not requiring a formal application, nonpermanent signs are required to adhere to all applicable regulations herein. It is the purpose and intent of this section to accommodate the installation of signs that are necessary for identification, direction, and commercial promotion. All signs shall conform to the following provisions in addition to any other conditions or limitations that may be imposed by the Commission in connection with the approval of a site development plan or special permit.

11.01.01. General Requirements

11.01.01.01.

Signs that are unrelated to an active land use, other than a real estate sign or existing non-conforming sign(s), shall be considered abandoned or derelict and shall be removed by the property owner.

11.01.01.02.

No sign or sign structure shall be permitted at any location where it could interfere with, obstruct the view of traffic, or be confused with any authorized traffic sign, signal, or device.

11.01.01.03.

Exterior Signs

Animated or flashing signs, banners, or signs with any type of motion are prohibited, except for fabric flags of any sovereign nation, state, or municipality or as permitted in Section 11.01.02.09. Internally illuminated signs visible from a public highway are only allowed as set forth under Section 11.01.01.13.

Interior Signs

Internally illuminated signs visible from a public highway are permitted for installation on the interior of a structure only if they do not flash and are not animated.

11.01.01.04.

Signs attached to buildings or other structures shall not project more than twelve (12) inches therefrom, and shall be located such that the highest part of said sign shall not extend above the highest portion of the main exterior wall nearest the street.

11.01.01.05.

No sign shall be erected within the right-of-way of a public street, except as provided for under Section 11.01.01.13 or Section 11.01.02.08.

11.01.01.06.

No sign shall be erected or located so that it could prevent free ingress or egress from any window, door, or fire escape.

11.01.01.07.

No sign shall be placed in such a position that it could obscure light or air from a building.

11.01.01.08.

Any sign that includes illumination shall be arranged such that the light is concentrated on the sign and there shall be no direct light cast on the street, sidewalk, or adjacent property.

11.01.01.09.

Signs for vehicular traffic or pedestrian movement indicating entrances, exits, or parking areas shall not exceed two (2) square feet in area. The number of these signs shall not exceed three (3), unless approved as part of a site plan.

11.01.01.10.

In determining the surface area of a freestanding, hanging, or nonpermanent sign, only one side of the sign shall be considered.

11.01.01.11.

Nonpermanent signs erected and maintained by the Town of Durham shall be permitted in all zones. Permanent signs erected and maintained by the Town of Durham shall be permitted in all zones and shall not exceed nine (9) square feet except by special permit.

11.01.01.12.

The sign area shall consist of the entire area within a continuous perimeter, including the extreme limits of actual copy area, symbols, characters, or words and trademark colors or background. Sign area does not include any structural or framing materials lying outside the limits of such sign and not forming an integral part of the display.

11.01.01.13.

Nonpermanent off-premise signs are expressly prohibited, except for traffic signs erected by the State of Connecticut, Town of Durham, or organizations that have a permit issued by the Connecticut Department of Transportation or with the approval of the local Traffic Authority. Such nonpermanent signs may be internally illuminated and shall not be in place for a duration of more than fourteen (14) days.

PROPOSED NEW SECTIONS/LANGUAGE:

11.01.01.14.

The location, size, and design detail of signs for new developments or reconstruction of existing sites shall be submitted as part of the site plan review process.

11.01.01.15.

Sign permits will not be required when:

- a. changing the advertising copy or message on an approved sign that is specifically designed for the use of replaceable copy;
- b. painting or repainting the same or different copy;
- c. cleaning the sign; or
- d. performing normal maintenance or repair on a sign or sign structure - unless a structural change is made.

For purposes of this section, changes in the level or types of illumination are not exempt from obtaining a permit.

11.01.01.16.

A sign permit shall become null and void if the work authorized by the permit has not been completed within a period of six (6) months after the date the permit is issued, except for signs approved by the Commission as part of a site plan, special permit, or subdivision approval.

11.01.01.17.

There shall be no zoning application fee from the Town of Durham associated with signage.

11.01.02. Commercial and Industrial Zones

11.01.02.01.

Every place of business may have upon the property on which the business is conducted signs indicating the name of the owner or proprietor, the character of the business, and/or the products made or sold on the premises.

11.01.02.02.

When affixed to the building(s), the total area of all signage (excluding directional signs and signs required by law) may not exceed one and one half (1.5) square feet for each linear foot of building frontage. In the case where a building faces two or more streets, only one side shall be considered as the front and shall be used for determining the total sign area allowed. The front of the building shall be the face assigned a street number.

11.01.02.03.

Each parcel shall be allowed one permanent freestanding sign. Signs within thirty (30) feet of the curb line of a public highway are limited to a maximum area that shall not exceed fifteen (15) square feet for a single business or thirty (30) square feet in total area for two (2) or more businesses on the parcel. Signs more than thirty (30) feet from the curb line of a public highway shall not exceed twenty-two (22) square feet for a single business or forty-five (45) square feet in total area for two (2) to nine (9) businesses on the parcel. Signs for parcels that have ten (10) or more businesses may not exceed sixty (60) square feet in total area except by special permit. No permanent freestanding sign shall have a height greater than fifteen (15) feet or project above the height of the structure served, whichever is less.

11.01.02.04.

Parcels having frontage on more than one street shall be allowed one permanent freestanding sign for each street facing, provided that the maximum area of each sign complies with the requirements specified in Section 11.01.02.03.

11.01.02.05.

Any sign permitted in a Residential Zone is permitted in the Commercial and Industrial Zones.

11.01.02.06.

Signs required by local, state, and/or federal regulations shall not be computed in the total allowable sign area and number.

11.01.02.07.

Retail gasoline outlets may have an additional fifteen (15) square feet of sign area for advertising fuel price. Such additional sign area may be affixed to a building or freestanding sign. Such signage shall be in addition to that required by applicable state and/or federal regulations.

11.01.02.08.

Any business within a(n) Commercial or Industrial Zone shall be permitted one (1) nonpermanent sign; this sign shall not exceed nine (9) square feet in area and shall not be illuminated. Signs shall not be spaced less than twenty-five (25) feet apart and ten (10) feet from adjacent property lines, both as calculated at the property's frontage. Signs in excess of thirty-six (36) inches in height shall be located not less than eight (8) feet from the curb line of a public highway. Signs located more than eight (8) feet from the curb line of a public highway shall not exceed forty-eight (48) inches in height. For the purpose of this section, a business is defined as a unit that is owned or leased.

PROPOSED NEW SECTIONS/LANGUAGE:

11.01.02.09.

Fabric flags and banners are permitted, provided that they are attached to the building, the display does not exceed nine (9) feet in height and twelve (12) square feet in area, and there is only one (1) per unit owned or leased. Banners shall be included in the overall calculation of area for the purposes of signage.

11.01.02.10.

Parcels with nonconforming land uses are entitled to permanent signs in accordance with Section 11.01.02 of these regulations after obtaining a zoning permit for the sign.

11.01.03. Residential Zones

11.01.03.01.

Nonresidential uses permitted under Section 05.01., other than agricultural uses or home occupations, may have one (1) non-illuminated sign not to exceed two (2) square feet in area on the property. One agricultural sign is permitted, provided that it does not exceed sixteen (16) square feet in area when fronting on a state highway and eight (8) square feet in area when fronting on a town road. Special permit uses under Section 05.01.01.01 (23) are permitted a permanent sign not to exceed sixteen (16) square feet in total on said property.

11.01.03.02.

Single-family and two-family dwelling units may display one (1) sign, which shall not exceed two (2) square feet in area.

11.01.03.03.

Multifamily developments (three [3] or more dwelling units) may display one (1) sign, which shall not exceed nine (9) square feet in area.

11.01.03.04.

Nonpermanent political signs associated with political campaigns shall be removed not later than 14 days after an election.

11.01.03.05.

No permanent, freestanding sign shall have a height greater than seven (7) feet.

11.01.03.06.

Nonprofit organizations or municipal facilities may display one (1) sign affixed to the building and one (1) permanent, freestanding sign, each of which shall not exceed fifteen (15) square feet in area. Nonpermanent signs for nonprofit or municipal uses related to a specific event are permitted, provided that such signs shall be non-illuminated and shall not exceed nine (9) square feet in area. Such signs shall not be erected more than thirty (30) days prior to an event and shall be removed within seven (7) days of the completion of the event. Each nonprofit or municipal premise is permitted one (1) nonpermanent sign, except for properties that have frontage in excess of one hundred (100) feet, in which case they are allowed an additional sign for each additional one hundred (100) feet of frontage or portion thereof.

11.01.03.07. Residential Subdivision Identification

One (1) permanent detached residential development sign designating the name of a residential subdivision is permitted, provided that it meets all of the following criteria:

- a. the sign shall be single sided and not exceed twelve (12) square feet in area;
- b. the sign and structure supporting the sign shall not exceed five (5) feet in height;
- c. only materials requiring low maintenance (i.e. stone and brick) shall be utilized for the sign and structure;
- d. where a residential development has more than one (1) entrance road intersecting with established roadways, the Commission may permit more than one (1) sign meeting the criteria contained herein.

11.01.04. Real Estate Sales or Leasing

11.01.04.01.

In Residential Zones, real estate sale or leasing signs shall not exceed four (4) square feet in area.

11.01.04.02.

In Commercial Zones, real estate sale or leasing signs shall not exceed fifteen (15) square feet in area.

11.01.04.03.

In Industrial Zones, real estate sale or leasing signs shall not exceed twenty-five (25) square feet in area.

11.01.05. Construction Sites

11.01.05.01.

In Commercial or Industrial Zones, a nonpermanent sign indicating construction or alteration shall not exceed twenty-five (25) square feet in area. Such nonpermanent sign may contain only the name of the building(s), the developer(s), the architect and other professional(s) involved in the building(s) design, the general subcontractor(s), the proposed tenant(s), the funding agency, and the like as well as a graphic representation of the completed development. Such signs shall be removed within five (5) years of the Commission's approval of the project or when occupancy of the buildings is fully achieved, whichever comes first. A sign permit may be extended by the Commission for up to five (5) additional years.

11.01.05.02.

In Residential Zones, a nonpermanent sign indicating more than one (1) subdivision lot construction or alteration shall not exceed nine (9) square feet in area. Such nonpermanent sign shall contain only the name of the building(s), the developer(s), the architect and other professional(s) involved in the building(s) design, the general subcontractor(s), the proposed tenant(s), the funding agency, and the like as well as a graphic representation of the completed development. Such signs shall be removed within five (5) years of the Commission's approval of the project or when occupancy of the buildings is fully achieved, whichever comes first. A sign permit may be extended by the Commission for up to five (5) additional years.

11.01.05.03.

Nonpermanent signs for a single parcel indicating construction or alteration shall not exceed four (4) square feet in area. Such sign shall be removed within thirty (30) days after completion of work.

11.02. Permit Exception

See Section 11.01.01.15.

11.03. Nullification

See Section 11.01.01.16.

11.04. Fee

See Section 11.01.01.17.

DRAFT