

# ARTICLE 7: SIGNS

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

**ARTICLE 7: SIGNS** ..... 1

**PART 1: GENERAL PROVISIONS**..... 1

    Sec. 7.1.1 Authority and Intent ..... 1

    Sec. 7.1.2 Permit Required ..... 2

    Sec. 7.1.3 Exemptions ..... 2

    Sec. 7.1.4 Prohibited Signs ..... 3

    Sec. 7.1.5 Temporary signs..... 3

    Sec. 7.1.6 Non-Conforming Signs ..... 4

    Sec. 7.1.7 Off-Premise Signs ..... 4

    Sec. 7.1.8 Sign Permit Applications and Submission Requirements ..... 4

    Sec. 7.1.9 Types of Signs..... 5

    Sec. 7.1.10 Sign Location and Area ..... 6

    Sec. 7.1.11 Sign Lighting ..... 7

    Sec. 7.1.12 Electronic Message Display..... 7

**PART 2: DISTRICT REGULATIONS** ..... 9

    Sec. 7.2.1 Regulation by District ..... 9

    Sec. 7.2.2 Signs in Residential and RCO Districts ..... 10

    Sec. 7.2.3 Signs in Mixed Use Districts ..... 10

    Sec. 7.2.4 Sign Regulations for Church Street Marketplace ..... 11

    Sec. 7.2.5 Signs in Enterprise Districts..... 15

    Sec. 7.2.6 Signs in the Institutional District ..... 15

**PART 3: SIGN PLANS** ..... 15

    Sec. 7.3.1 Intent ..... 15

    Sec. 7.3.2 Applicability ..... 16

    Sec. 7.3.3 Submission Requirements..... 16

    Sec. 7.3.4 Flexibility from Existing Standards ..... 16

    Sec. 7.3.5 On the Record Review ..... 16

## PART 1: GENERAL PROVISIONS

### Sec. 7.1.1 Authority and Intent

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

- (a) Compatible with their surroundings;
- (b) An enhancement to the city's visual environment;
- (c) Orderly, readable, and safe;
- (d) Harmonious in color, material and lighting with the building to which it relates; and,
- (e) Non-distracting to motorists.

### **Sec. 7.1.2 Permit Required**

All signs, regardless of size, shall require the issuance of a zoning permit before public display unless otherwise specifically exempt by this Article.

### **Sec. 7.1.3 Exemptions**

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

- (a) Political Signs: Signs advertising political parties and/or candidates provided:
  - 1. The size of such signs does not exceed thirty two (32) square feet;
  - 2. Such signs are not erected earlier than forty five (45) days prior to the election to which they pertain; and,
  - 3. All such signs are removed within three (3) days after the date of the election.
- (b) Highway and Official Signs. Subject to approval by the city engineer, 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.
- (c) Directional Signs: Non-illuminated signs displayed on private property strictly for the direction, safety or convenience of the public, including such signs which identify the location of restrooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided the area of any such sign shall not exceed two (2) square feet.
- (d) Real Estate Sale/Rental Sign. One temporary non-illuminated sign advertising the sale or rental of the premises or indicating that such premises have been sold or rented, provided the area of any such sign shall not exceed six (6) square feet and shall be removed within three (3) days after the rental agreement has been executed or title has been transferred.
- (e) Flags: Flags or emblems of religious, educational, or governmental organizations, not to exceed 15 square feet with no single dimension greater than five feet provided they not exceed three flags per 50 feet of frontage, and are flown from supports of the buildings or grounds being occupied by the organization or an individual.

- (f) Contractor Sign. A single non-illuminated sign, not exceeding thirty-two (32) square feet in area, maintained on the premises while a building is actually under construction.
- (g) 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.
- (h) 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.
- (i) Home Occupation Signs. One non-illuminated sign for a permitted home occupation not to exceed two (2) square feet.
- (j) Residential Sign: A sign of less than two (2) square feet which serve only to indicate the name and address of residential occupants.
- (k) Memorials/Interpretive Markers. Non-illuminated memorial, interpretive, signs or historical signs or tablets displayed by a public or educational non-profit agency strictly for the purpose of informing or educating the public provided the area of any such sign shall not exceed thirty two (32) square feet.

#### **Sec. 7.1.4 Prohibited Signs**

The following types of signs shall be prohibited in all parts of the city:

- (a) 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.
- (b) Any off-premise sign which advertises or otherwise directs attention to any commodity or activity sold, offered or conducted elsewhere than on the premises upon which such sign is located unless otherwise provided for in **Sec. 7.1.7**.
- (c) Any sign or supporting structure located in or over the traveled portion of any public right-of-way unless the sign is attached to a structural element of a building and an encroachment permit has been obtained from the department of public works.
- (d) 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.

#### **Sec. 7.1.5 Temporary signs**

The display of any such temporary sign(s) shall be limited to two non-consecutive 30-day periods per calendar year. Any other sign shall be considered permanent.

**Sec. 7.1.6 Non-Conforming Signs**

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

A non-conforming sign shall not be relocated, enlarged, replaced, redesigned, or altered in any way (except for 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 or substantially greater compliance with this Article. In such cases, the DRB may allow a sign to be in substantially greater compliance than the existing nonconforming sign subject to the development review criteria in **Article 6**.

**Sec. 7.1.7 Off-Premise Signs**

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

- (a) Political signs as regulated by **Sec. 7.1.3**;
- (b) Temporary non-illuminated signs directing persons to temporary exhibits, shows or events provided:
  - 1. The size of such sign does not exceed twelve (12) square feet in area; and,
  - 2. Such signs are not posted earlier than two (2) weeks prior to the event and are removed within three (3) days after the event.
- (c) Non-illuminated signs used for directing members or patrons to service clubs, churches or other nonprofit organizations provided:
  - 1. Such signs indicate only the name of the facility and the direction of the facility; and,
  - 2. Such signs do not exceed four (4) square feet in area.
- (d) Sandwich board signs as regulated by the dept. of public works.

**Sec. 7.1.8 Sign Permit Applications and Submission Requirements**

A Sign Application as provided in **Article 3** is necessary for those requests pertaining to all signs covered by the requirements of this Article.

Submission requirements shall include all the following, as applicable:

- 1. A completed application form, and signed by the property owner, along with the applicable fee;
- 2. A scaled rendering of the proposed sign indicating its dimensions in square inches or feet (length, width, height), and all materials and colors used;
- 3. Applications involving freestanding signs shall include a scaled site plan indicating the location of all existing and proposed signs on the lot and all setbacks in feet from the property lines and/or rights-of-way.

4. Applications involving parallel and projecting signs shall 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.
5. Where applicable, the type and method of illumination (i.e. external, internal, or backlit), including the fixture style, placement, and bulb wattage and type;
6. The total square footage of all existing signs for the establishment; and,
7. Photographs of the building or site where the sign is proposed.

Such requests require only administrative review and approval pursuant to the procedural requirements of [Sec. 3.2.7](#) and the requirements of this Article.

**Sec. 7.1.9 Types of Signs**

**(a) Freestanding Signs:**

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

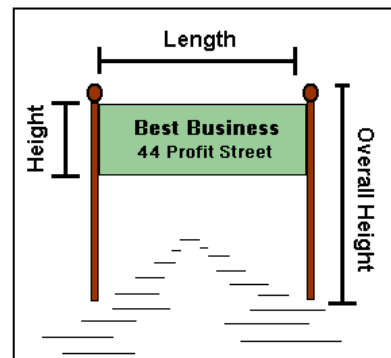


Figure 7.1.9-1 Freestanding Sign

**(b) Kiosk Signs:**

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

**(c) Parallel Signs:**

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

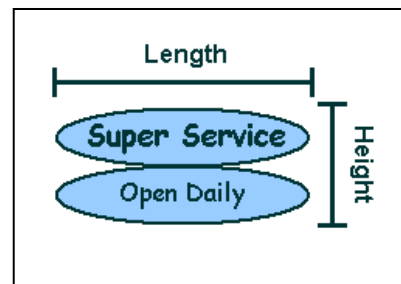


Figure 7.1.9-2 Parallel Sign

**(d) Projecting Signs:**

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

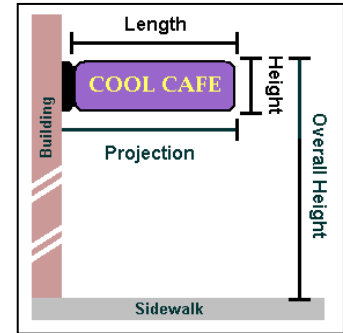


Figure 7.1.9-3 Projecting Sign

**(e) Roof Signs:**

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

**Sec. 7.1.10 Sign Location and Area**

**(a) Obstruction:**

No sign shall be placed in such a way that it prevents clear and unobstructed view of a highway or official sign or of approaching or merging traffic.

**(b) Setbacks:**

No portion of any freestanding sign shall be located any closer to any property line than fifty per cent (50%) of the required yard setback for the district in which it is located.

**(c) Calculation of Sign Area:**

The following shall govern the calculation of a sign’s area:

1. The area of a sign shall include all lettering, designs, or symbols, together with the background, whether open or enclosed, upon which they are displayed. Not included are any supporting framework incidental to the display itself.
2. Advertising relating to a specific product or products sold on the premises, or the utilization of corporate symbols, logos, or similar features, shall be included in the aggregate sign area permitted for each establishment.
3. Where a sign consists of individual letters or symbols attached, painted, or applied directly to a building, wall, or window, the area shall be considered to be the smallest rectangle encompassing all the letters and symbols. (See Figure 7.1.10-1)
4. In computing the area of a double-faced sign, only one side shall be considered if both faces are identical. Notwithstanding the



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

- above, if the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.
5. The maximum allowable area of a sign shall include all permanent signs attached, painted, or applied to a building facade. If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall be computed separately.

### **Sec. 7.1.11 Sign Lighting**

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

- (a) Signs shall be illuminated such that the illumination does not create glare or unduly illuminate the surrounding area.
- (b) Externally illuminated signs:
  1. Light fixtures used to illuminate signs shall be top mounted and shall direct the light downward toward the sign.
  2. Ground mounted lights shall not be used unless under special circumstances where conditions of (1) above cannot be met and only if reviewed by the DAB and approved by the DRB.
  3. Light fixtures shall employ the use of grids, hoods, or baffles, and aimed so that light is directed only onto the sign face. The light source or reflective surfaces of the fixture shall not be visible from the public way or surrounding properties.
- (c) Backlit signs:
  1. Backlit (i.e. reverse channel illumination) signs shall light lettering and logo and other related sign elements only, and lighting design shall be such that no excess light spill or glare results from the back lighting fixtures and/or source. The back lit sign shall not increase the measurable vertical light level at a point 20 feet distant from the sign in any direction.
  2. In addition to other permitted lamp types, neon or similar lighting may be used to illuminate backlit signs.
- (d) Internally illuminated signs:
  1. Internally illuminated signs shall be designed with light lettering and graphics against a dark field.
  2. The sign cabinet shall fully enclose the light such the light source is not visible from the exterior of the sign.
  3. Internally illuminated signs shall be designed so that lamps produce no more than 200 initial lumens per square foot.

### **Sec. 7.1.12 Electronic Message Display**

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

- (a) An electronic message display shall not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, moving video, or scrolling advertising.
- (b) An electronic message display that is readily visible to drivers of vehicles on any public way shall have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers.
- (c) No more than one (1) electronic message display with two sides shall be permitted per grades 6-8 or secondary school.
- (d) The area occupied by the message on an electronic message display may comprise no more than fifty (50) percent of the maximum total allowable sign area as provided in **Article 7, Part 2**.
- (e) The message display area may have a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols.
- (f) An electronic message display shall consist only of alphabetic or numeric characters on a plain background and may not include any graphic, pictorial, or photographic images.
- (g) A maximum of one color shall be used for an electronic message, which shall be on a dark background of one color.
- (h) The message that is displayed may change no more frequently than once every two (2) minutes. When the display of an electronic message changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.
- (i) An electronic message display shall include internal ambient light monitors that automatically adjust the brightness level of its display according to natural ambient light conditions.
- (j) An electronic message display shall contain a default mechanism that freezes the sign in one position if a malfunction occurs.
- (k) Such electronic message displays shall only be permitted on the following streets:
  - Main Street
  - North Avenue
- (l) The hours of operations for such electronic message displays shall be permitted from 6:00am to 10:00 pm except that secondary school use shall have no such limit on the hours of operation.



## PART 2: DISTRICT REGULATIONS

### Sec. 7.2.1 Regulation by District

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

<b>Table 7.2.1-1: Sign Regulation Summary</b>					
		<b>Zoning District<sup>4</sup></b>			
<b>Sign Type</b>	<b>Dimensional Requirements</b>	<b>All RCO and Residential Districts</b>	<b>All Form, Mixed Use, and Institutional Districts</b>	<b>All Enterprise Districts</b>	<b>(Reserved)</b>
<b>Parallel</b>	Size	20-sf	2-sf <sup>1</sup>	2-sf <sup>1</sup>	-
	Maximum Height	14-ft <sup>2</sup>	14-ft <sup>2</sup>	14-ft <sup>2</sup>	-
	Illumination	No	Yes	Yes	-
<b>Projecting</b>	Size	4-sf	4-sf	4-sf	-
	Maximum Height	12-ft <sup>2</sup>	14-ft	14-ft	-
	Illumination	No	Yes	Yes	-
<b>Freestanding</b>	Size	20-sf	½-sf <sup>1</sup>	1-sf <sup>1</sup>	-
	Maximum Height	6-ft	14-ft	6-ft	-
	Illumination	No	Yes <sup>3</sup>	Yes	-
<ol style="list-style-type: none"> <li>1. Size is determined per each linear foot of building frontage allocated to the establishment</li> <li>2. Or ceiling height of the first floor, whichever is less, except in FD6, FD5, E-LM and NMU-NAC where the sign may be above 14 feet as per <b>Sec 7.2.3(a)4</b>, <b>Sec. 7.2.4 (c)2D</b>, or <b>Sec. 7.2.4(c)6C</b>.</li> <li>3. Illuminated freestanding signs are not permitted in NMU district.</li> <li>4. No signs shall be permitted in the Urban Reserve District.</li> </ol>					

## **Sec. 7.2.2 Signs in Residential and RCO Districts**

### **(a) Permitted Signs:**

In addition to signs authorized under [Sec. 7.1.3](#) and [Table 7.2.1-1](#), only the following on-premise signs shall be permitted in any Residential and RCO districts.

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

### **(b) Restrictions on Residential District Signs:**

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

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

## **Sec. 7.2.3 Signs in Form and Mixed Use Districts**

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

### **(a) Parallel Signs:**

Parallel signs are permitted provided:

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

- A. In no instance shall a sign be allowed above the floor level of a second story, or the cornice line of a structure whichever is lower;
- B. Such signs shall be architecturally compatible with the design of the structure; and,
- C. No such sign can be internally illuminated.

**(b) Freestanding Signs:**

Freestanding signs are permitted provided:

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

**(c) Projecting Signs:**

Projecting signs are permitted provided the sign:

1. Does not visually interfere with the view to and from adjacent properties;
2. Does not extend above any portion of the roof of the building to which such sign is affixed;
3. Has its lowest edge at least eight (8) feet above any pedestrian way; and,
4. Is vertically aligned.

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

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

1. All lettering and artwork is fixed flat to such canopy, marquee or awning; and,
2. All lettering is limited to the name of the establishment and announcing any on-premise show or event where applicable.

**Sec. 7.2.4 Sign Regulations for Church Street Marketplace**

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

**(a) Marketplace Commission Approval:**

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

**(b) Exemptions:**

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

1. 34 Church Street;
2. 37 Church Street;
3. 75 Church Street (Bank Street facade);
4. 78 Church Street;
5. 107 Church Street; and,
6. 115 Church Street.

**(c) Permitted Signs and Restrictions:**

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

**1. Parallel Signs:**

- A. The total area of all parallel signs for each establishment shall not exceed one and one-half (1.5) square foot of length of that portion of such wall devoted to such establishment.
- B. If such establishment does not occupy any floor area of the ground level of the building, other than an entryway, the maximum permitted sign area shall not exceed ten (10) square feet.
- C. Signs painted on or affixed to the inside or outside of windows shall be included in the computation of subsections (A) and (B) above, if their combined area exceeds thirty (30) per cent of the area of the window they occupy.
- D. No signs, except window signs, shall be placed more than one (1) foot above the finish floor level of the second floor of a multi-story building to which they are attached. In no case shall such signs be placed more than fourteen (14) feet above the lowest point where the sidewalk meets the building line on the façade to which the sign is attached or, where there is a public canopy structure, above the top edge of the glass roof.
- E. No parallel sign shall project more than twelve (12) inches from the face of the wall to which it is attached, except as otherwise provided in subsection (3)(b) below.

**2. Projecting signs:**

- A. There shall be no more than one (1) such sign per establishment.
- B. The total area of such a projecting sign shall not exceed eight (8) square feet.
- C. The maximum projection of such sign beyond the building line shall not exceed four (4) feet.

- D. The maximum height to the top of such a sign, as measured from the lowest sidewalk elevation at the building line on the façade to which the sign is attached, shall not exceed eighteen (18) feet.
- E. The lower edge of such a sign must be at least seven (7) feet six (6) inches above the sidewalk directly beneath the sign.
- F. Three-dimensional signs depicting the goods or services available on the premises are allowed within the limits specified in items (A) through (E) above. The area of the smallest rectangle, which can be drawn encompassing all the parts of the sign, shall measure the area of such signs.
- G. Two-dimensional signs shall have both faces parallel, vertical and at right angles to the building line.

### **3. Canopies, marquees and awnings:**

- A. Canopies, marquees, and awnings attached to buildings are permitted subject to development review board review or the standards of Article 14 as applicable.
- B. When a sign is affixed to such a canopy, marquee or awning, it shall satisfy the following requirements:
  - i. If placed parallel to the building facade, its area shall be deducted from the maximum allowable area of parallel signs; and,
  - ii. If at right angles, it shall be in substitution of any other projecting sign and shall meet the requirements of subsection (2) A, B, and D through G above for projecting signs.

### **4. Pedestrian Canopy Signs/Floor Mosaic Signs.**

- A. Permanent verbal and nonverbal signs, satisfying the conditions of (3) above for canopies, marquees and awnings, may be attached to the Church Street pedestrian canopy provided they also satisfy the following requirements:
  - i. Such signs may be attached only to front or back columns or to cross members below the glass;
  - ii. The owner of such a sign must bear the full cost of attaching the sign to the canopy structure and must also fully restore the galvanized and painted waterproofing membranes on the canopy, which may be damaged during attachment or removal of the sign;
  - iii. The maximum height of such sign measured from the base of the sidewalk directly below shall be nine (9) feet; and,
  - iv. No person shall have more than two (2) signs located in or attached to any part of the public right-of-way or public canopy system.
- B. Mosaic signs are permitted in the floor of building entries and may fill the entire entry. Such signs may be placed within the sidewalk directly in front of building entries, subject to the following conditions:

- i. The materials used in creating such a sign must be durable, nonskid paving materials, laid in a manner that is compatible with the existing sidewalk paving and creating no discontinuities in sidewalk surface or changes in grade;
- ii. The width of such a sidewalk sign shall be no greater than the width of the building entry and the depth shall be no more than seven (7) feet from the building line; and,
- iii. The owner must bear the full cost of removing the existing sidewalk pavement, assume all liabilities for structural problems in the sidewalk or accidents which may occur due to such re-paving, and restore the original pavement should any problem arise.

### **5. Kiosks.**

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

- A. Such kiosk shall not impede the flow of pedestrian traffic;
- B. Such kiosk shall not interfere with any publicly funded amenity;
- C. The maximum area of the projected plan of such a kiosk shall be fifteen (15) square feet;
- D. The maximum height of such kiosk shall be ten (10) feet; and,
- E. Two-dimensional signs shall have both faces parallel, vertical and at right angles to the building line.

### **6. Other restrictions on type and placement of signs:**

- A. Freestanding on-premises signs are not permitted, except as otherwise provided below.
- B. Internally illuminated signs are prohibited. Signs inside the building may be illuminated in any manner by a steady source of light. Signs external to the building envelope may be illuminated by a steady source of light external to the sign, except that linear outline neon signs with no background are permitted.
- C. Fabric banners or streamers may be mounted on the façade of a building with the written approval of the city engineer, who must be satisfied as to the structural soundness of the mounting device to withstand wind loads. All liability in case of structural failure, however, shall remain the sole responsibility of the owner. The lower edge of such a banner or streamer must be at least fourteen (14) feet above the sidewalk directly beneath the sign. The maximum projection of such banner or streamer beyond the building line shall not exceed six (6) feet.

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

### **Sec. 7.2.5 Signs in Enterprise Districts**

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

- (a) The total area of any parallel sign shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall devoted to such establishment, or two hundred (200) square feet, whichever is less;
- (b) No parallel sign shall be painted on or affixed to the outside windows;
- (c) Freestanding signs shall not exceed six (6) feet in height;
- (d) The area of any freestanding sign shall not exceed one half (1/2) square foot per one (1) linear foot of frontage or a total of sixty (60) square feet, which ever is less; and,
- (e) No sign shall be located within three (3) feet of any sidewalk or its vertical plane, except where such sign is attached to the face of the building at least eight (8) feet above the sidewalk and is protruding no more than six (6) inches from the face of the building.

### **Sec. 7.2.6 Signs in the Institutional District**

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

## **PART 3: SIGN PLANS**

### **Sec. 7.3.1 Intent**

In order to provide for design quality, flexibility, compatibility, and creativity in larger buildings and building complexes with multiple tenants or owners, signs shall be allowed as specified in a sign master plan for the property as follows:

**Sec. 7.3.2 Applicability**

Within any Form, Mixed Use, Enterprise, or Institutional zoning district, all signs located on a site, building or a complex of buildings located on a single lot with three or more tenants or owners may be granted a zoning permit if the signs comply with a sign master plan submitted by the building owner and reviewed and approved by the DRB under the provisions of **Sec. 7.3.4** below and **Article 6**.

**Sec. 7.3.3 Submission Requirements**

A sign master plan shall be a comprehensive plan of all planned signs to be located on the site and on all facades of the building or building complex.

Information to be included in a sign master plan shall include, but not be limited to, the following:

- (a) Total number of signs proposed, including any existing signs that will remain.
- (b) Sketch of signs clearly indicating size/dimensions of all signs – including height above finished grade, lettering, logos or other graphics, colors, materials, texture.
- (c) Types of signs – parallel, freestanding, projecting or window.
- (d) Building elevations/photographs clearly illustrating the placement of signs on buildings.
- (e) Site plan indicating location of freestanding signs and structures.
- (f) Methods of illumination.

**Sec. 7.3.4 Flexibility from Existing Standards**

The sign master plan shall be compatible with the site and buildings and character of the surrounding area pursuant to the provisions of **Article 6**. While individual signs in the plan may vary from the restrictions of **Sections 7.2.3, 7.2.4, 7.2.5 and 7.2.6** in the type and placement of signs on a structure or lot, no individual sign may exceed the size limitations as per **Sec. 7.2.3(a)(3)**.

Except for such variations approved by the development review board by acceptance of a master sign plan pursuant to this Article, all other requirements, permits, and restrictions regarding signs shall remain in effect.

**Sec. 7.3.5 On the Record Review**

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