

**NOTICE OF PUBLIC HEARING
ST. ALBANS CITY PLANNING COMMISSION
MONDAY, JANUARY 28, 2013
6:00 PM
ST. ALBANS CITY HALL
100 NORTH MAIN STREET, ST. ALBANS, VT**

The St. Albans City Planning Commission will hold a public hearing to take public comment and consider changes to the St. Albans City Land Development Regulations.

Sections 403 Home Occupations, 404 Home Industry, and 519 Performance Standards:

These revisions would add provisions to control excessive noise.

Section 517 Signs: These revisions would significantly re-write the section with the purpose of stream-lining the sign review process while continuing to protect aesthetic interests.

The geographic area affected by these revisions would include the entire City of St. Albans.

Full texts of these revisions may be viewed at the City Clerk's Office, St. Albans City Hall, 100 North Main Street or online at www.StAlbansVT.com/Development.

If special accommodations are required, please contact Michelle Boudreau at 802-524-1500 x262 or m.boudreau@stalbansvt.com. For the hearing impaired please call (TTY) # 1-800-253-0191.

WRITTEN REPORT ON PROPOSAL, PER 24 V.S.A. § 4441

The following text fulfills the statutory requirements for a written report on the effects of the entirety of the proposed bylaw revisions in the preceding hearing notice.

1. The proposed revisions to Sections 403 and 404 are designed to ensure that home occupations and industries do not produce noise out of character with surrounding neighborhoods, in fulfillment of the policies contained within the St. Albans City Comprehensive Municipal Plan that the City's residential zones should be pleasant and attractive areas. The proposed revision to Section 519 incorporates the latest standards on allowed noise decibel levels and furthers the City Plan policy noted above. The proposed revisions to Section 517 would streamline the City's sign review process, furthering the City Plan policies in support of business and economic development, while continuing to protect the aesthetic interests of the community, as stated in the Plan, especially in reference to the City's Design Review Districts. These revisions have no predictable effect on the availability of safe and affordable housing.
2. These revisions make no changes to the future land uses listed in the St. Albans City Comprehensive Municipal Plan and have no predictable direct effect on densities.

3. These revisions do not carry out any specific proposals for any planned community facilities.

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St. Albans City Land Development Regulations
Proposed revisions to Sections 403, 404 and 519 concerning Noise

[Language to be added is underlined, and language to be removed is ~~struck out~~.]

Section 403 Home Occupations

Any home occupation, as defined elsewhere in these regulations, shall be permitted as an accessory use to any residential use if it complies with the requirements of this section.

A. Exterior displays or signs other than those normally permitted in a residential district, exterior storage of materials, and exterior indication of the home occupation or variation from the residential character of the principal structure shall not be permitted.

B. The use shall not have noise levels above those that are characteristic with the neighborhood in which it is located.

~~**B.C.**~~ All performance standards, as stated elsewhere in these regulations, shall be met.

~~**C.D.**~~ No traffic shall be generated by such activity in greater volumes than would normally be expected in the neighborhood.

~~**D.E.**~~ Parking shall be provided off-street and shall not be located within the required front, side or rear setbacks.

~~**E.F.**~~ No employees other than residents of the dwelling unit.

~~**F.G.**~~ There will be only one home occupation or home industry per property unless approved by the Development Review Board.

~~**G.H.**~~ Prior to beginning any home occupation, a zoning permit shall be obtained from the Office of the Zoning Administrator. The Zoning Administrator may require the submittal of any information deemed necessary to ensure that the proposed use meets the above standards for home occupations. Failure to provide sufficient information to determine compliance may result in the denial of a zoning permit for the proposed home occupation.

Section 404 Home Industry

Any home industry, as defined elsewhere in these regulations, shall comply with the requirements of this section.

A. Exterior displays or signs other than those normally permitted in the district and exterior storage of materials shall not be permitted.

- B.** The use shall not have noise levels above those that are characteristic with the neighborhood in which it is located.
- B.C.** No traffic shall be generated by such activity in greater volumes than would be normally expected in the neighborhood.
- C.D.** All performance standards, as stated elsewhere in these regulations, shall be met.
- D.E.** Parking shall be provided off-street and shall not be located in the required front, side or rear setbacks.
- E.F.** No employees other than residents of the dwelling unit.
- F.G.** There will be only one home occupation or home industry per property unless otherwise approved by the Development Review Board.
- G.H.** Prior to beginning any home industry a zoning permit shall be obtained from the Office of the Zoning Administrator. The Zoning Administrator may require the submittal of any information deemed necessary to ensure that the proposed use meets the above standards for home industries. Failure to provide sufficient information to determine compliance may result in the denial of a zoning permit for the proposed home industry.

Section 519 Performance Standards

In accordance with Section 4414(5) of the Act, in all districts the following performance standards together with all applicable state standards must be met.

- A. Noise**
No noises shall be permitted in excess of ~~seventy (70) decibels at the property line~~ of the following levels specified in Table 1 as measured at or within the property lines of a receiving property:-

Table 1

Receiving Property	Time of Day	
	6:00 AM – 9:00 PM	9:00 PM – 6:00 AM
<u>Located in LDR or HDR</u>	<u>60 dBA</u>	<u>55 dBA</u>
<u>Located Elsewhere</u>	<u>65 dBA</u>	<u>65 dBA</u>

**St. Albans City Land Development Regulations
Proposed Re-Write of Section 517**

[These proposed changes would result in a comprehensive re-write of Section 517. Thus the section is presented wholly revised and without track changes.]

Section 517 Signs

Section 517.1 General Regulations and Standards

A. Purposes

The purposes of these sign regulations are: to encourage the effective use of signs as a means of communication in the City of St. Albans; to maintain and enhance the aesthetic environment and the City of St. Albans’s ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property including other signs; to ensure that all signs are orderly, readable, and uncluttered; and to enable the fair and consistent enforcement of these sign restrictions.

B. Design Advisory Board Oversight

The Zoning Administrator shall provide the Design Advisory Board (DAB) a quarterly report on submitted signage applications to inform the board on the administration of these regulations. The DAB shall review sign applications pursuant to section 517.2(A) and in conformance with these regulations except for instances where the DAB may alter or waive dimensional requirements due to space constraints.

C. Signs Allowed on Private Property with and without Permits

1. Signs shall be allowed on private property in the City of St. Albans in accordance with, and only in accordance with Table 1 of Section 517.1(J). If the letter “P” appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter “S” appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter “N” appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.
2. Although permitted under the previous paragraph, a sign designated by an “S” or “P” in Table 1 of Section 517.1(J) shall be allowed only if:

- a. The sum of the area of all building and freestanding signs on the lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in Table 2 of Section 517.1(J);
- b. The size, location, and number of signs on the lot conform with the requirements of Table 3 and Table 4 of Section 517.1(J), which establish permitted sign dimensions by sign type, and with any additional limitations listed in Table 1 of Section 517.1(J);
- c. The characteristics of the sign conform with the limitations of Table 5 of Section 517.1(J), Permitted Sign Characteristics, and with any additional limitations on characteristics listed in Table 1 of Section 517.1(J).
- d. The design, construction and maintenance of the sign are in conformance with the Section 517.1(E).

D. Signs Requiring Permits

- 1. If a sign requiring a permit under the provision of these regulations is to be placed, constructed, erected, or modified on a lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of 517.2(A).
- 2. No sign shall be erected in the public right-of-way except in accordance with Section 517.1(H).
- 3. No sign permit of any kind shall be issued for a proposed sign unless such sign is consistent with the requirements of Section 517 in every respect or has received approval from the DAB pursuant to Section 517.2(A)(5)(b).
- 4. Maintenance of existing signs that require a permit according to Table 1 of Section 517.1(J) do not require a permit if the maintenance includes normal cleaning, repair, or upkeep and does not alter the size, shape, color or wording of the existing sign.
- 5. The relocation of a sign from one lot to another shall require a new permit pursuant to Section 517.2(A).

E. Design, Construction, and Maintenance

All signs shall be designed, constructed, and maintained in accordance with the following standards:

1. All signs shall be appurtenant to or on the same lot as the business it pertains to.
2. All construction, fixtures, wiring and installations shall conform to all applicable State and National fire prevention, building and electrical codes and shall be maintained in conformance with said codes and with these regulations at all times.
3. All electrical boxes and transformers shall be integrated into the sign and/or support structure design or shall be otherwise screened to minimize the visual impact of such electrical components.
4. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure so as to be able to withstand all predictable environmental conditions and wind loads.
5. No sign, flag, banner or similar display shall physically or visually impede vehicular or pedestrian traffic by design, illumination, color or placement. All signs shall have sufficient clearance so as to provide clear and unobstructed visibility for vehicles entering and leaving the public right-of-way and, if illuminated, the light shall not be directed toward any public roadway or adjacent use.
6. Sign placement and proportions shall respect and respond to the architectural features of the building to which it is affixed and shall not conflict with or obscure such features.
7. The design features of the sign shall conform with the purposes stated in 517.1(A) including, but not limited to, orderly, readable and uncluttered signs.

E. Pre-existing Signs and Non-Conforming Signs

1. A non-conforming pre-existing sign is a sign lawfully existing at the time of adoption of these regulations but does not conform to the provisions of these regulations.
2. Any non-conforming sign shall not be enlarged, redesigned or altered in any way, other than for ordinary maintenance, except to conform to the requirements of these regulations.

F. Signs Exempt from Regulation.

The following signs shall be exempt from regulation under these regulations:

1. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
2. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;
3. Works of art that do not include a commercial message;
4. Holiday lights and decorations with no commercial message between November 15 and the following January 15;
5. Bulletin boards for official and/or public use located on municipal property;
6. Sponsorship and informational signs for recreational fields/parks which are solely used for non-profit recreational activities made available for civic use.
7. A stand-alone LED sign that is less than 2 square feet will not require a permit if it denotes “vacancy”, “open” or a varying price. These signs may include LEDs with no more than 3 colors and shall not be animated or flashing. Other than the color allowance here, such signs must follow all other requirements for LEDs.

G. Signs Prohibited

All signs not expressly permitted under these regulations or exempt from regulation hereunder in accordance with Section 517.1(F) are prohibited in the City of St. Albans. Such signs include, but are not limited to:

1. Pennants;
2. Strings or ropes of light when not permanently mounted to a rigid background or shielded from view of the street and used for the purpose of advertising, displaying or otherwise attracting attention to the premises when not part of a sign or approved street or outdoor lighting, except those exempt under Section 517.1(F);
3. Inflatable signs and tethered balloons;
4. Signs that include the words “stop,” “caution,” or “danger,” or that incorporate red, amber, or green lights which resemble traffic lights, or that resemble “stop”,

“yield” or other similar traffic control signs in shape and color, except that Federal, State and Municipal traffic, regulatory, and informational signs are exempt from this requirement;

5. Signs resembling a public street sign placed on public or private property in a manner to cause a driver to think the sign depicts a public street;
6. Signs affixed to a fence, utility pole or utility structure, or to a tree, shrub, rock or other natural object;
7. Signs erected on a gasoline station canopy, except that the logo of a single product line may be erected which does not occupy more than one-quarter the area of a single side border of the gasoline station canopy. Such canopy signs shall be included in the total sign area of the lot;
8. Mobile signs or motor vehicles on which is placed or painted a sign parked or positioned in a manner primarily intended to display the sign, excepting those which have been granted a peddler’s license or some similar form of approval from the City.

H. Signs in Public Right-of-Way

No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:
 - a. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulated pedestrian or vehicular traffic;
 - b. Bus stop signs erected by a public transit company;
 - c. Informational signs of a public utility regarding its poles, lines, pipes, or facilities;
 - d. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Table 1 of Section 517.1(J); and
 - e. Sandwich board signs in conformity with the conditions of Table 1 of Section 517.1(J). Shall not obstruct or interfere with pedestrian travel and sidewalk function and shall not create a pedestrian or vehicular safety hazard. If located appurtenant to the lot, permission from the affronting land owner must be provided.
2. **Emergency Signs.** Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

3. **Other Signs Forfeited.** Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City of St. Albans shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

I. Temporary Signs

All temporary signs shall be permitted pursuant to Section 517.2(B) and in conformance with the following:

1. **Temporary Primary Sign**

- a. **Temporary Primary Business Sign** - All temporary signs serving as a primary business sign must be in compliance with the dimensional requirements of the sign type based on Section 517.1(J).

2. **Temporary Accessory Signs**

- a. **Construction Signs.** A construction sign is any on-premise sign temporarily identifying the name, address, and other pertinent information of the contractor, architect, landscape architect, and/or engineer', address and other pertinent information. Such signs shall employ temporary methods of installation and may be maintained on the property for the term of construction, and not more than 30 days following the completion of construction. Such signs shall not exceed 32 square feet in area
- b. **For Sale or Rent.** One sign not exceeding six (6) square feet in area is permitted for the advertising of the sale or rental of the premises on which it is located and may be maintained on the property for the term of the sale or rental.
- c. **Garage Sale.** One sign not exceeding four (4) square feet in area is permitted for advertising a garage sale, tag sale, or other permitted temporary sale on the premises on which it is located and may be displayed for up to 48 hours in advance of the sale and 12 hours after the completion of the sale.
- d. **Short-Term Event.** Temporary window signs not exceeding 15% of the display window area or 40% of the display window area combined temporary and primary window sign area with a primary window sign are permitted.

G. Sign Standard Tables

Table 1 - Permitted Sign Types By Type and Zoning District

Sign Types	B1	B2	HDR	LDR	S-IND	INS^a
<i>Freestanding^j</i>						
Home Occupation	S	S	S	S	S	N
Non-Residential	S	S	N	N	S	S
Incidental ^c	P	P	P	P	P	P
Temporary ^g	P	P	P	P	P	P
<i>Building</i>						
Banner ^l	S	S	S	S	S	S
Building Marker ^d	P	P	P	P	P	P
Canopy ^e	S	S	S	S	S	S
Incidental ^c	P	P	P	P	P	P
Marquee	S	S	N	N	S	N
Projecting ^f	S	S	S	S	S	S
Home Occupation	S	S	S	S	S	N
Suspended	S	S	S	S	S	S
Temporary (Primary) ^g	S	S	S	S	S	S
Temporary (Accessory) ^g	P	P	P	P	P	P
Wall	S	S	S	S	S	S
Window	S	S	S	S	S	S
<i>Miscellaneous</i>						
Banner ^c	S	S	P	P	S	P
Flag ^h	P	P	P	P	P	P
Portable ^k	S	N	N	N	N	N

P = Allowed w/o sign permit

S = Allowed w/ sign permit

N = Not allowed

- a.** This column does not represent a zoning district. It applies to institutional uses permitted under these zoning regulations in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b.** No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered and permitted on the premises.
- c.** No commercial message of any kind allowed on sign if such message is legible from any location off the lot on which the sign is located
- d.** May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- e.** Shall not be internally illuminated or contained neon bulbs.
- f.** Such sign shall be hung at a right angle to the building and shall not project more than four (4) feet from the building. The top edge of the projecting sign panel shall not exceed the height of the bottom edge of second story windowsills.
- g.** The conditions of Section 517.1 (I) of these regulations apply.
- h.** Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- i.** Projecting signs shall not project into, above or within ten (10) feet from the curb.
- j.** Freestanding signs over 6 feet in height may have no more than two (2) sides.
- k.** Shall only be in the public right-of-way if the setback does not provide enough room for the sign. Portable signs shall be in conformance with 517.1(H)(1)(e) if located in the public right-of-way.
- l.** May be used only on a temporary basis and regulated pursuant to section 517.1 (I).

Table 2 - Maximum Total Sign Area Per Lot By Zoning District

	B1	B2	HDR	LDR	S-IND	INS ^a
<i>The maximum total area of all signs on a lot except incidental, building marker, and identification signs, and flags^b shall not exceed the lesser of the following:</i>						
Maximum Number of Total Square Feet ^c	120	120	60	60	120	60
Percentage of Ground Floor Area of Principal Building						
Square Feet of Signage Per Linear Foot of Street Frontage	1.5	1.5			1.5	

- a.** This column does not represent a zoning district. It applies to institutional uses permitted under these regulations in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b.** Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- c.** The maximum total square feet allowance does not exempt applicants from consideration of architectural features in which case it may reduce the maximum number of total square feet permitted.

Table 3 - Number, Dimensions, and Location of Individual Signs by Zoning District

Sign Types	B1	B2	HDR	LDR	S-IND	INS^a
<i>Individual signs shall not exceed the applicable maximum number dimensions or setbacks shown on this table and Table 4</i>						
Freestanding						
Area (sq. ft.)	64	64	9	9	64	64
Height (feet)	12	18	4	4	18	6
Setback (sq. ft.) ^b	10	10	10	10	10	10
Number Permitted						
Per Lot	1	1	1	1	1	1
Building						
Area ^c (max. sq. ft.)	120	120	9	9	120	9
Wall Area (percent ^d)	10	10	N/A	N/A	10	N/A
Banner Area (max. sq. ft.)	15	20	20	20	20	20
Number Permitted						

- a.** This column does not represent a zoning district. It applies to institutional uses permitted under these regulations in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b.** In addition to the setback requirements on this table, signs shall be located such that there is at every street intersection a clear view between heights of three feet and 10 feet in a triangle formed by the corner and points on the curb 30 feet from the intersection or entranceway.
- c.** Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- d.** The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.
- e.** For all building sign types not including banners.

Table 4 - Number and Dimensions of Certain Individual Signs by Sign Type

Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance	
			From Sidewalk or Private Drive or Parking	From Public Street
<i>No sign shall exceed any applicable maximum numbers or dimensions, or encroach on any applicable minimum clearance shown on this table.</i>				
Freestanding				
Home Occupation, Non-Residential, Incidental	See table 3	See table 3	N/A	N/A
Temporary	2	6 square feet	N/A	N/A
Building				
Banner	2 per business	See table 3	7 feet	12 feet
Building Marker	1 per building		N/A	N/A
Canopy	2 per business	20% surface area	7 feet	12 feet
Incidental	N/A	2 square feet	N/A	N/A
Marquee	1 per building		9 feet	12 feet
Projecting	2 per business	10 square feet	9 feet	12 feet
Home Occupation	1	4 square feet	N/A	N/A
Suspended	2 per business		9 feet	N/A
Temporary (Accessory)	Pursuant to Section 517.1(I)	Pursuant to Section 517.1(I)		
Wall	2 per business		N/A	N/A
Window	2 per business	25% window area	N/A	N/A
Miscellaneous				
Banner		See table 3	9 feet	12 feet
Flag	N/A	N/A	9 feet	12 feet
Portable	1 per business	9 square feet		

Table 5 - Permitted Sign Characteristics by Zoning District

	B1	B2	HDR	LDR	S-IND	INS ^a
Animated	N	N	N	N	N	N
Changeable Copy						
Illumination ^b						
<i>Internal</i> ^{c,f}	P	P	N	N	P	N
<i>External</i> ^d	P	P	P	P	P	P
<i>Exposed bulbs or neon</i> ^{e,f}	P	P	N	N	P	N
Light-Emitting Diode (LED) ^{g,f}						
Time and Temperature						

P = Permitted

N = Not allowed

- a.** This column does not represent a zoning district. It applies to institutional uses permitted under these regulations in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools, funeral homes, and cemeteries.
- b.** Only white or off-white light of a constant intensity shall be permitted as the primary light source for any sign. The average level of illumination of a sign face shall not exceed 10.0 foot-candles and the uniformity ratio shall not exceed a 2:1 average to minimum ratio. Shall be lit only during the hours of commercial or organizational operation for the associated use.
- c.** Shall be permitted only as white or off-white graphics on an opaque dark colored background or as white or off-white halo lighting. The lettering of such internally lit signs shall not exceed 40% of the surface area of the sign, and there shall be minimal, if any, translucence of the opaque background material.
- d.** External lighting shall be designed and aimed to provide illumination of the sign face(s) only and external light sources shall be directed downward and shielded to limit light spill, glare or trespass beyond the sign face(s). The light source should not be visible.
- e.** Exposed neon shall be permitted only as a minor portion of a sign or sign lighting.
- f.** Shall not be permitted in the Traditional Downtown Design Review District (DR-1) with the exception of signs for movie theatres and performing arts centers meeting the following conditions: such signs are based on historical precedent, as demonstrated by applicant; the proposed lighting will not create unacceptable glare or light trespass; and the sign lighting and overall design is consistent with industry standards for such sign types.
- g.** Only lettering and logo elements and not the background may be illuminated on an LED display. The refresh rate for any changing message on an LED display shall not be less than 15 seconds.

Section 517.2 Sign Permit Procedures and Enforcement

A. General Permit Procedures

The following procedures shall govern the application for, and issuance of, all sign permits under these regulations.

1. **Applications.** All applications for sign permits of any kind shall be submitted to the Zoning Administrator on an application form or in accordance with application specifications published by the Zoning Administrator.
2. **Application Requirements.** An application for the construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings, drawn to scale, showing the dimensions, design, structure, means of illumination, colors and location of each particular sign. Applications involving freestanding signs shall include a top-down site plan sketch indicating the proposed sign location and all requisite setbacks. Applications involving signs attached to the façade of a building shall include a scaled elevation of the building with proposed location of the sign. One application and permit may include multiple signs on the same lot.
3. **Fees.** Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the City Council from time to time by resolution.
4. **Completeness.** Within five days of receiving an application for a sign permit, the Zoning Administrator shall review it for completeness. If the Zoning Administrator finds that it is complete, the application shall then be processed. If the Zoning Administrator finds that it is incomplete, the Zoning Administrator shall, within such five-day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of these regulations.
5. **Action.** Within ten days of the submission of a complete application for a sign permit, the Zoning Administrator shall either:
 - a. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of these regulations and does not meet the criteria for referral to the DAB pursuant to Section 517.2(A)(5)(b). In case of a rejection, the Zoning Administrator shall specify

in the rejection the section(s) of these regulations which the application is inconsistent with.

- b. Refer the sign permit application to the DAB if the application conforms with all regulations of this section with the exception of one or both of the following:
 - i. The Zoning Administrator finds that the sign is not in conformity of the proposed sign with the aesthetic intent of 517.1(A) pursuant to Section 517.1(C)(2)(d);
 - ii. The applicant requests a waiver from the dimensional requirements of a sign pursuant to Section 517.1(J).
 - c. Issue the sign permit if the sign(s) that is the subject of the application conforms in every respect with the requirements of these regulations or has been given favorable review by the Design Advisory Board pursuant to Section 517.2(A)(5)(b).
6. **Expiration.** An approved permit shall expire within six (6) months from the date of such approval unless such sign is erected.

B. Temporary Sign Permits (Private Property)

Temporary signs on private property shall be allowed only upon the issuance of a Temporary Sign Permit, which shall be subject to the following requirements:

- 1. **Term.** Temporary signs shall be permitted for a 30-day period unless specified in Section 517.1(I).
- 2. **Number.** If a permit is required pursuant to Section 517.1(J), only one temporary sign permit shall be issued to the same business license holder on the same lot in any calendar year.
- 3. **Other Conditions.** A temporary sign shall be allowed only in districts with the letter “S” for “Temporary Signs” on Table 1 of Section 517.1(J) and subject to all of the requirements for temporary signs as noted therein.

C. Revocation and Removal

- 1. Any or all permits under this chapter may be revoked by the Zoning Administrator at any time and any sign may be ordered removed whenever, in the

opinion of the Zoning Administrator, public necessity, safety, or convenience require such removal, and such removal shall be at the owner's expense.

2. Any sign, which has been ordered removed by the Zoning Administrator, or is abandoned or discontinued, shall be removed within 30 days of written notice to remove. Any structure, wall, surface or other area from which the sign is removed shall be disassembled and/or restored so that no remnant of the sign is visible.
3. All violations of Section 517 shall be enforced pursuant to Section 906 of these regulations.

Section 517.3 Computation Standards and Signage Definitions

A. Computations

The following principles shall control the computation of sign area and sign height.

1. **Computation of Area of Individual Signs.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, or triangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets land development regulations and is clearly incidental to the display itself.
2. **Computation of Area of Multi-faced Signs.** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
3. **Computation of Height.** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction (2) the newly established grade after construction, exclusive any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that

the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

4. **Computation of Maximum Total Permitted Sign Area for a Lot.** The permitted sum of the area of all individual signs on a lot shall be computed by applying the formula contained in Table 2 of Section 517.1(J), Maximum Total Sign Area, to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented towards a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.

B. Definitions and Interpretations

Words and phrases used in this section shall have the meanings set forth in this section and in Article 2 of these regulations.

1. **Animated Sign** – Any sign that uses movement or change of lighting to depict action or create a special effect or scene
2. **Banner** – Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.
3. **Building Marker** – Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.
4. **Building Sign** – Any sign attached to any part of a building, as contrasted to a freestanding sign.
5. **Canopy Sign** – Any sign that is a part of or attached to, and does not extend beyond the limits of, an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
6. **Changeable Copy Sign** – A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the

surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this section.

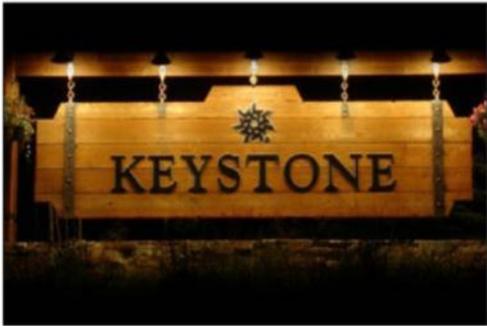
7. Commercial Message – Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
8. Flag – Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.
9. Freestanding Sign – Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
10. Home Occupation Sign – Any sign located on a property zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of these regulations.
11. Incidental Sign – A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.
12. Marquee – Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
13. Marquee Sign – Any sign attached to, in any manner, or made a part of a marquee.
14. Nonconforming Sign – Any sign that does not conform to the requirements of these regulations.
15. Pennant – Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

- 16.** Portable Sign – Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-Frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day-to-day operations of the business.
- 17.** Projecting Sign – Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.
- 18.** Sign – Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.
- 19.** Suspended Sign – A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
- 20.** Temporary Sign – Any sign that is used only temporarily and is not permanently mounted.
- 21.** Wall Sign – Any sign attached parallel to, but within fifteen inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.
- 22.** Window Sign – Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Section 517.4 Examples of Good Sign Design



LED down lighting



Incandescent down lighting



Internal illumination w/ opaque background



Halo lighting (shown day and night)



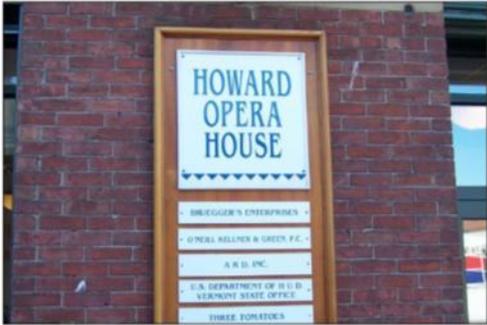
Awning sign



Cut-out lettering and sign band



Window graphics



Building directory



Projecting sign (w/ down lighting)



Symbols as signs



Regional context



Regional context



Landscape feature sign



Building mounted



Monument sign and architectural context



Monument sign and architectural context

Section 517.5 Examples from St. Albans



Historic sign



Facade sign



Downlit sign



Perpendicularly lit sign



Downlit sign on building facade



Sign that fits with historic architecture



Simple sign design with 3-D element