

“Sign” means any device including graphic, alphabetic, or pictorial presentation used to convey commercial messages seen from the public thoroughfare or right-of-way. This definition specifically excludes merchandise normally displayed in a storefront window, public art and murals, or flags.

## ARTICLE XVI SIGNAGE

### 16.1 Purpose

The purpose of these sign regulations is to ~~encourage the use of free-standing and building signage which is compatible with the community character, is readable, clear, non-distracting to vehicular traffic, and is maintained in safe and good repair.~~ ensure businesses, activities, events, or products are provided with sufficient opportunity for identification and promotion while also 1) protecting public safety, 2) promoting effective identification, communication, and wayfinding, and 3) maintaining and enhancing a visual environment that is compatible with the small-town setting of Lyndon.

### 16.2 Applicability

A zoning permit shall be required prior to the erection, construction, ~~enlargement, or alteration of dimension, location, orientation, quantity, or material or replacement~~ of any outdoor sign, except for signs which are specifically exempt under these by-laws. ~~The maintenance, repair, or replacement in-kind of an existing sign does not require a permit. All changes must meet all other standards of this bylaw.~~

### 16.3 General Standards

All signs other than those specified as being exempt shall require a zoning permit issued by the AO. The number, type, and size of permitted signs may be found in Table 16.17.

16.3.1 Signs must be constructed of a durable material intended for exterior use, such as wood, metal, dibond, or window decal graphics. The use of vinyl or plastic banners as a permanent sign is specifically prohibited. An interim sign (while waiting for a permanent sign) can be made of vinyl or plastic as long as the sign is granted a permit and is not posted on the premises for a time length exceeding 90 days.

16.3.2 Any sign not meeting the requirements of the applicable sections of this Article shall require conditional use approval.

### 16.4 Exempt Signs

No zoning permit application shall be required for the following types of signs in accordance with 10 V.S.A. § 494. Please refer to Vermont State Statute for more information and details on exempt signs.

16.4.1 Signs located on or in the rolling stock of common carriers.

16.4.2 Signs on registered and inspected motor vehicles except those which are determined by the travel information council to be circumventing the intent of this chapter.

16.4.3 Signs, with an area of not more than 260 square inches, identifying stops or fare zone limits of common carriers by motor bus.

16.4.4 Signs erected by the state or town on public roads including "welcome" signs and official traffic control signs.

16.4.5 A residential directional sign each of which does not exceed four square feet in area, along highways other than limited-access facilities (but not within the highway right-of-way), except that a permit is required if the person maintains a professional, commercial or business activity at this residence and wishes to indicate its existence.

16.4.6 Signs of a duly constituted governmental body, including traffic and similar regulatory devices, legal notices, or warnings at railroad crossings.

16.4.7 Small signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas or the like, with a total surface area not exceeding four square feet.

16.4.8 Signs to be maintained for not more than two weeks announcing an auction, or a campaign, drive or event of a civic, philanthropic, or religious organization.

16.4.9 Memorial signs or tablets.

16.4.10 Signs erected by county fairs and expositions for a period not to exceed six weeks.

16.4.11 Directional signs for farmer's markets or the sale of agricultural products harvested or produced on the premises, not to exceed six square feet.

16.4.12 Murals that relate exclusively to a downtown designated under 24 V.S.A. chapter 76A, (please see 10 VSA 494 for specific requirements.)

16.4.13 Municipal informational and guidance signs (wayfinding signs). The surface area of alternative signs shall not exceed 12 square feet, and the height of such signs shall not exceed 12 feet in height. The proposal shall be approved by the municipal planning commission for submission to and adoption by the local legislative body.

16.4.14 Signs displaying a message of congratulations, condolences, birthday wishes, or displaying a message commemorating a personal milestone or event; provided, however, any such message is maintained for not more than two weeks.

16.4.15 A sign that is a banner (fabric, cloth, vinyl, or plastic cardboard) erected over a highway right-of-way for not more than 21 days if the bottom of the banner is not less than 16 feet 6 inches above the surface of the highway and is securely fastened with breakaway fasteners and the proposed banner has been authorized by the legislative body of the municipality in which it is located.

## 16.5 Other Exempt Signs

16.5.1 A sign advertising the sale or lease or rent of real estate by the owner or an agent shall not have an area of more than six square feet, including the panel and the frame. Signs attached to "for sale" or "for lease" signs which state "sold," "sale pending," "sale under contract" or similar messages shall not be permitted.

16.5.2 A sign displaying the menu of a restaurant business that is attached to the exterior of the building shall not have an area of more than thirty (30) square feet in the Commercial District, and not more than six (6) square feet in the Village & Main District, including the panel and the frame.

16.5.3 One (1) promotional sign, including but not limited to a sandwich board sign or advertising banner or streamer, shall not have an area of more than six square feet and must be taken inside the establishment at the close of business and placed on the sidewalk or in front of the building during business hours in a location that does not impede traffic. The one promotional sign must not conflict with the limitations set in these Bylaws.

## 16.6 Prohibited Signs

No official business directional sign, on-premise sign, residential directional sign, or exempt sign may be erected or maintained, which:

- 16.6.1 Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt to direct the movement of traffic.
- 16.6.2 Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic.
- 16.6.3 Contains, includes or is illuminated by any flashing intermittent or moving lights, or moves or has any animated or moving parts, except that this restriction shall not apply to a traffic control sign, barber poles, theatre marquees that conform with state law.
- 16.6.4 Is located upon a tree or painted or drawn upon a rock or other natural feature, except that this restriction shall not apply to residential directional signs.
- 16.6.5 Advertises or calls attention to a business or other activity, or a profession, commodity, product, service or entertainment not on the premises. Except for those that conform with state law.
- 16.6.6 Advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities.

## 16.7 Illuminated Signs

16.7.1 Illuminated signs shall be shielded in such a way as to produce no glare, light pollution to the night sky, undue distraction to vehicular traffic, hazard to the surrounding area, or a nuisance to adjoining properties.

16.7.2 A sign may be illuminated only by a continuous, non-flashing light of a single color. Such lighting must be effectively focused and shielded so that it does not cause undue glare, impair the vision of drivers or illuminate neighboring properties.

16.7.3 Table 16.17 shows the districts whereby externally and internally lighted signs are permitted **and the allowed hours for lighted signs for each district.**

16.7.4 ~~The period of time a sign may be lit will be determined by the Zoning District in which it falls. Table 16.13 provides the required time at which signs must be turned off.~~ **Any sign not meeting the requirements of Section 16.7 shall require conditional approval.**

## 16.8 Building Signs

~~16.8.1 No flush-mount sign erected on a~~ **A building sign lies flush to the wall, gable end, roof section or any other part of a structure. A building sign** shall not be allowed to extend beyond the overall length of the building the sign is mounted on, nor shall the sign be allowed to extend above the highest roof or ridge line of any part of that structure. (Figures 1 & 2)

~~16.8.2 A building sign on a non-conforming building shall not be considered a non-conforming sign so long as the sign meets the other requirements of these bylaws.~~

~~16.8.3 Any sign not meeting the requirements of Section 16.7.1 shall require a conditional use approval.~~ **Building signs count toward the total number and total square footage of signs allowed in each district. The allowed square footage for a building sign in each district is summarized in Table 16.17.**

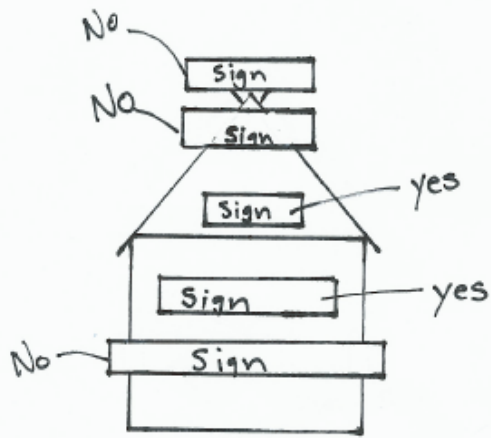


Figure 1

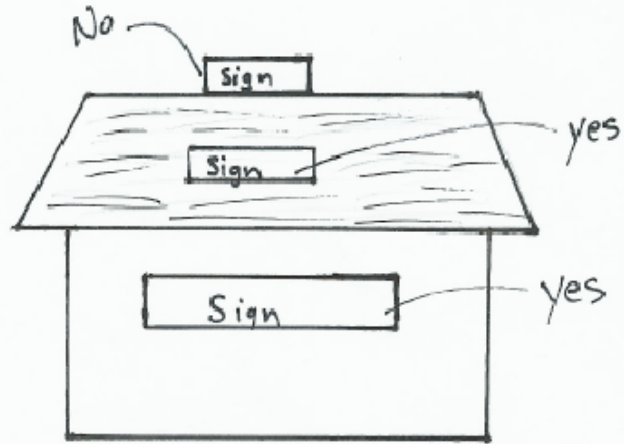


Figure 2

## 16.9 Protruding Signs

16.9.1 A protruding sign extends outward from the wall of a building. It may be perpendicular to the building wall or at an angle, but its message is intended to be read primarily by people approaching from one or both sides. This includes marquees or awnings that contain signs.

16.9.2 Protruding signs count toward the total number and total square footage of signs allowed in each district, summarized in Table 16.17.

16.9.3 A protruding sign may not extend more than six (6) feet beyond the building wall from which it projects.

16.9.4 The lowest point on a protruding sign must be at least 7 feet 6 inches above grade.

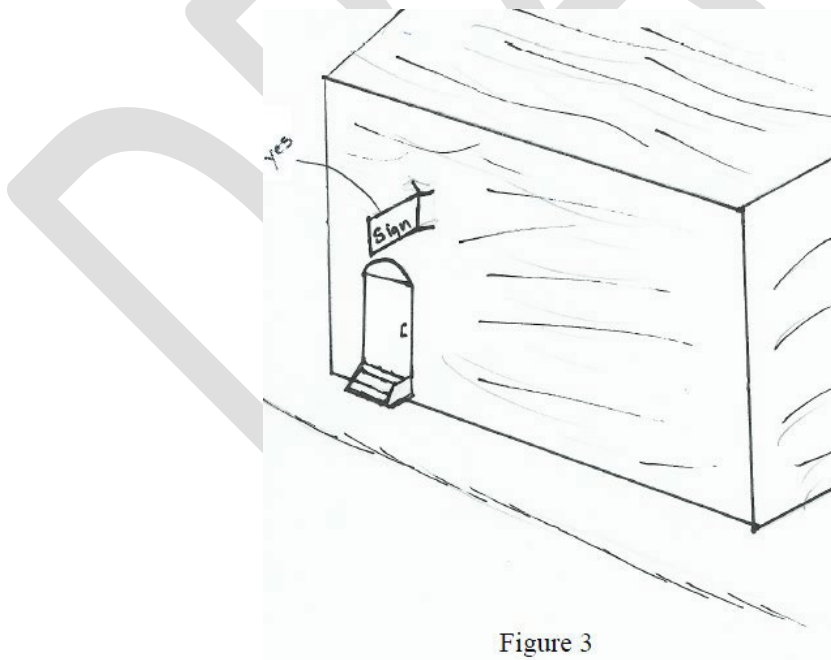


Figure 3

16.10 Freestanding Signs

16.10.1 Freestanding signs are limited to one (1) frame or monument per lot. Lots containing more than one business must not exceed the allowed square footage requirements per the district for all signs within the freestanding sign frame or monument space. This may mean smaller signs are within the frame/display space.

16.10.2 Measuring for smaller signs within one freestanding frame is shown in Figure 4 (i.e., two 2'x3' signs equal 12 square feet of signage).

16.10.3 Freestanding signs count toward the total allowed square footage of signage for each district (see Table 16.17).

16.10.4 Freestanding signs must not exceed the sign height maximums for each district (see Table 16.17).

16.10.5 All freestanding signs must meet the setback requirements detailed in 16.11.

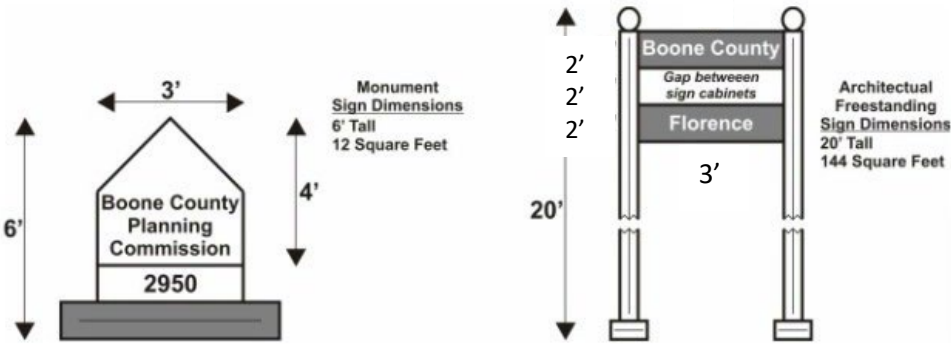


Figure 4

16.11 Setbacks

16.11.1 No official business directional sign, on-premise sign, residential directional sign, or exempt sign shall be placed within the road Right of Way; or along any road or street in a manner which obstructs the line of sight for vehicular traffic. This is intended to mean that in some instances a sign may need to be set back from the road more than just the edge of the right of way in order to ensure safety.

16.11.2 In cases where a sidewalk exists, the sign must be out of the Right of Way limits of the road, and the sign must be set back at least 4 feet from the non-road side edge of the sidewalk.

16.11.3 All signs shall meet the required side and rear setbacks for the district in which they are located. Please refer to the Minimum Requirements for Development chart found within these Bylaws for setback requirements.

16.12 Event Signs

16.12.1 One (1) special event sign is allowed per lot at one time, including but not limited to banners, streamers, or pennants.

16.12.2 The one (1) special event sign shall not measure more than 16 square feet.

16.12.3 An event sign is not a promotional sign (i.e. sandwich board).

16.12.4 An event sign can be posted for no more than 28 days.

16.12.5 An event sign is allowed for a maximum of four events per calendar year.

## 16.13 Nonconforming Signs

Any sign that was lawfully in place prior to the enactment or amendment of these regulations and does not conform to the standards herein with respect to area, height, setback, location on building, or number of signs permitted, is hereby known as a nonconforming sign.

16.13.1 A nonconforming sign shall not be enlarged, extended, moved, or changed in material or orientation unless such changes are to bring the sign into more compliance with these regulations by at least 20% of the total measurement the sign is out of compliance (setback, square footage, building location, or number of signs).

16.13.2 A nonconforming sign can be maintained, repaired, or replaced in-kind so long as there are no changes in dimension, orientation, location, quantity, or material type. All other changes require a sign permit.

16.13.3 A nonconforming sign that has been damaged or destroyed by fire or other accident may be reestablished, providing that such repair or replacement occurs within six (6) months of the date of such damage or destruction.

16.14.4 A nonconforming sign that has been abandoned for more than six (6) months or identifies a business, activity, or product that has not existed at that location for more than six (6) months must be removed.

## 16.14 Conditional Permits

Signage requirements that apply to entire districts fail by their nature to account for all of the different conditions that exist within each district. Such requirements should not be conclusive and binding land use requirements subject to the inflexible requirements of Section 4469 of the Act. An applicant may apply for a conditional sign permit ~~to have additional signs on the property, subject to the sign square footage requirements for the district in which the property is located.~~ **for signage of a different size, design, material type, or location than set forth in this Article.**

16.14.1 All conditional permits must meet the requirements set forth in section 4.2 of the Bylaws.

16.14.2 The DRB can consider the size of the building to provide for additional square feet of signage. Buildings with more than 150 feet of building lineal footage can seek additional signage at a ratio not to exceed 2:1 (square feet of signage to building lineal footage) after review of professionally rendered drawings of the signs on the building. The total allowed square footage based on this calculation will be the new total allowed square footage for the location as long as the distribution does not exceed what is outlined in 16.14.3.1 and 16.14.3.2.

**16.14.3.1 Conditionally permitted freestanding on-premises signs may be erected or maintained, with a total square area of not more than 150 square feet (10 VSA 494).**

**16.14.3.2 Conditionally permitted building signs may be erected or maintained, with a total square area of not more than 200 square feet.**

16.14.3 Projects located on parcels that are adjacent to the Village & Main, Commercial, or Industrial districts can seek additional signage after review of professional rendered drawings by the DRB. The DRB can provide additional signage square footage up to 75% of the neighboring district so long as all the conditional use requirements set forth in 4.2 are met.

## 16.15 Measurement

16.15.1 The measurement of a sign's area shall be the area as measured by the product of its total height and total width and shall be considered to include all lettering and background which is an element of the sign but not including any support framework or bracing which is incidental to the sign and which are not designed to attract attention. (Figures 5 & 6) If the applicant is using individual letters the spaces between letters shall be counted as part of the sign's square footage (Figure 4).

16.15.2 The area of one (1) side of a double-faced sign shall be regarded as the total area of the sign as long as the content and size of the faces are the same. Each face shall be measured individually if the content is different.

16.15.3 The area of a multi-faced sign shall be measured as the total square footage divided by the number of sides if the contents and size of the faces are the same. Each face shall be measured individually if the content is different.

16.15.4 The maximum allowable area of a sign shall include all permanent signs attached, painted, or applied to a building façade (and windows). If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall be computed separately and shall not exceed the allowed square footage per each side of the building.

16.15.5 The height measurement for signage shall be from the average existing grade to the highest point of either the sign itself, or the signposts, whichever was tallest. (Figures 5 & 6)

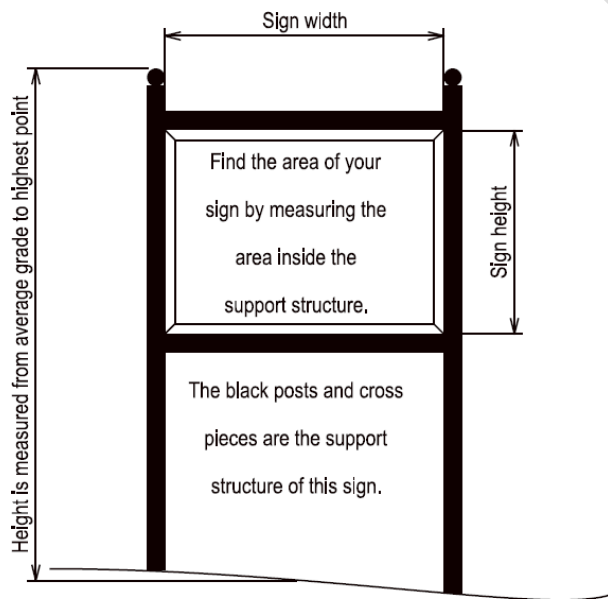


Figure 5

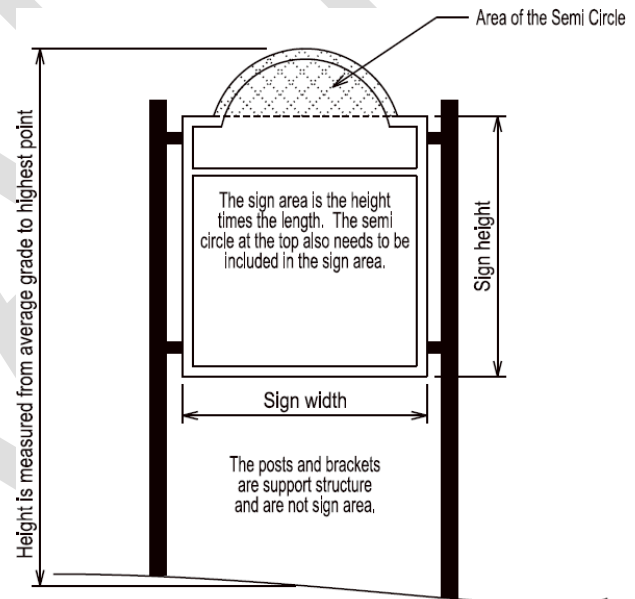


Figure 6

## 16.16 Business Plaza

- 16.16.1 In instances where a business plaza is located on an individual property (lot), the property shall be allowed to have a freestanding sign at the maximum size allowed for the district in which the property is located. Refer to 16.10 for measurement specifications for multiple signs within one freestanding sign frame.
- 16.16.2 Each individual business within the business plaza shall be allowed buildings signs at a proportion of the total signage square footage allowed, to be determined by the landholder, and in consideration of preexisting signs on the building.

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## 16.17 Sign Requirements Table

Districts: <b>Commercial &amp; Industrial</b>	MAX AREA	MAX HEIGHT	NUMBER	LIGHTING STANDARDS
Building* and Ground Mounted (combined)	<b>100</b>	Building mounted signs must meet requirements in 16.8 and/or 16.9	Per storefront**- Quantity of building signs is unlimited within MAX AREA <b>1 projecting sign per entity</b>	Externally lit, internally lit, or unlit  Lighting extinguished one hour after closing or 10pm, whichever comes first.
		20' for ground mounted	1 frame per lot	Externally lit, internally lit, or unlit

Districts: <b>Residential Neighborhood, Park, Institutional Control</b>	MAX AREA	MAX HEIGHT	NUMBER	LIGHTING STANDARDS
Building* and Ground Mounted (combined)	<b>10</b>	Building mounted signs must meet requirements in 16.8 and/or 16.9	1 building sign (including projecting)	Externally lit or unlit  Lighting extinguished 1 hour after closing or 10pm, whichever comes first.
		8' for ground mounted	1 frame per lot	Externally lit or unlit

Districts: <b>Rural Residential</b>	MAX AREA	MAX HEIGHT	NUMBER	LIGHTING STANDARDS
Building* and Ground Mounted (combined)	<b>36</b>	Building mounted signs must meet requirements in 16.8 and/or 16.9	1 building sign (including projecting)	Externally lit or unlit  Lighting extinguished 1 hour after closing or 10pm, whichever comes first.
		12' for ground mounted	1 frame per lot	Externally lit or unlit

Districts: <b>Village &amp; Main</b>	MAX AREA	MAX HEIGHT	NUMBER	LIGHTING STANDARDS
Building* and Ground Mounted (combined)	<b>60</b>	Building Mounted signs must meet requirements in 16.8 and/or 16.9	Per storefront**- Quantity of building signs is unlimited within MAX AREA <b>1 projecting sign per entity</b>	Externally lit or unlit *Internally (with conditional use approval).  Lighting extinguished 1 hour after closing.
		12' for ground mounted	1 frame per lot	Externally lit or unlit

\* Inclusive of window signs, hanging signs, marquees, awning

\*\* A business plaza must not have signage in excess of the max area, accounting for all establishments within the plaza.

## Article XVII Definitions

“Land Development” means the division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation or land fill for a commercial purpose, and any change in the use of any structure or land or extension of the use of land. “Land Development” does not include the replacement ~~in-kind~~ of an existing sign with another sign of the same type of construction, **location, orientation, quantity, and material** and having the same or less area than the sign being replaced.

*“Sign Replacement In-Kind” means a change only to the wording, color, or design of an existing sign.*

*“Sign Replacement In Total” means any change to the dimensions, location, orientation, quantity, or material of an existing sign.*

*“Menu board” - The exterior display of food and beverage items for sale in a restaurant.*

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