

SECTION 12 Additions *in italics* and deletions in brackets June 28, 2011
Public hearing scheduled for August 23, 2011

SIGNS

12.1 STATEMENT OF PURPOSE

It is the intent of this section to accommodate the establishment of signs necessary for identification, direction, and reasonable commercial promotion, while assuring compatibility of signs with the surrounding land use and to conserve property values in all zones and districts. Through these regulations, East Haddam's rural and historical character shall be considered in all signs and sign construction. An additional purpose of this section is to permit signs that will not through their proliferation, extension, location, or height be detrimental to the public health and safety by creating signs that confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health and safety.

12.2 DEFINITIONS

REORGANIZED ALPHABETICALLY

Billboard: A sign which directs the attention of the viewer to a business, commodity service, entertainment, or other use which is conducted, sold, offered, or occurring, either presently or in the future, at a location different from the lot upon which such sign is displayed, or only incidentally occurring upon such lot, or any sign that is larger than four (4) feet by eight (8) feet.

Building [Frontage] Facade Area: The building [frontage] *facade* area is calculated by multiplying the linear distance that the building fronts the street by the height to the eaves of the building section that front the street. *The building height may vary requiring calculating each section separately for compliance.*

Egress sign: *A sign directing a vehicle out of an area.*

Ingress sign: *A sign directing a vehicle into an area.*

Sign: Any structure, or part thereof, or any device attached to a building or structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction or advertisement for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any building feature, including roof or other special illumination, special colors or effects, or building or roof lines which serve to identify the use or occupancy of any building or site through a recognized motif or symbol. The term "sign" shall include pennants, flags, and banners but not include the flag of any nation, state, or other political unit.

Sign Area or Face: The plane defined by one continuous perimeter of that rectangle, triangle, circle, or other shape having the smallest area which encompasses all the lettering, wording, design, or symbols together with any background different from the balance of the wall on which it is located, if such background is designed as an integral part of and relation to the sign. Such perimeter, however, shall not include any structural elements lying outside the limits of such sign

and not forming an integral part of the display. For the purposes of these Regulations, two-sided signs shall be considered to have only one sign face.

Sign, Directly Illuminated and Internally Illuminated: Any sign designed to give forth any artificial light directly or indirectly through any transparent, reflective, translucent or similar material, from a source of light contained within, upon, or otherwise structurally integrated into such sign, including neon signs.

Sign, Indirectly Illuminated: A Sign illuminated by a light source which is remote from the sign structure or is affixed to the sign or sign structure and so shielded that no direct rays there from are visible elsewhere than upon the Sign Face, or the area immediately around it, but in no event *shall light rays be directed* [visible] off the lot where said Sign is located. If such shielding is defective or fails to conform to the criteria of this definition, such Sign shall be deemed to be a Directly Illuminated Sign. *Lighting is to be mounted to be directed downward onto the Sign Face, and not upwards from the ground or from the sides of the Sign.*

Temporary Sign: Any sign which is intended to advertise community or civil projects, construction projects, real estate for sale or lease, or other special events of a temporary nature, erected on a temporary basis.

12.3 GENERAL RESTRICTIONS AND CONDITIONS: REORGANIZED ALPHABETICALLY

Attachment: No sign shall be attached to any tree, fence, highway sign, utility pole or be permitted to be painted directly upon the wall or roof of any building.

Billboards: No billboards shall be permitted in any district.

Dynamic Signs: No signs shall be of the type that moves or rotates mechanically or is illuminated by a light source, which visibly flashes, oscillates, pulsates, or otherwise automatically changes in intensity or color.

Elevation: No free-standing sign shall have a height greater than fifteen (15') feet above the average grade in the area at the base of, or below the sign or extend above the highest portion of the main exterior wall of the structure on the site nearest the street, whichever is less.

Frontage: In the case where a building faces two (2) or more public streets or has two (2) or more sides facing one (1) street, only one (1) side shall be considered as having frontage except buildings in Commercial Districts (C/B/IG, C-3, IG-1) may count two (2) of the sides facing a street as frontage. In the C/B/IG, C-3, IG-1 the signage on the face of the building has to correlate with the frontage of that side.

Government Signs: Nothing in these Regulations shall prohibit the State of Connecticut or the Town of East Haddam from erecting signs intended for the health and safety of the public provided such signs meet the applicable requirements of these regulations.

Hazardous Signs: Any sign which has been found to be hazardous to the public by the Zoning Enforcement Officer or the Building Official shall be repaired, replaced, or removed within ten (10) days after notification of such finding. Failure to comply with such notification shall be deemed a violation of these Regulations, and subject the violator to such penalties as may be provided by law.

House Identification Signs: House identification signage shall not exceed three (3) square feet. This signage shall include Historical plaques.

Illumination: *Indirectly illuminated signs* Any sign which includes illumination shall be arranged so that all light is concentrated on the sign and there shall be no direct light cast on the street, sidewalk, or adjacent property.

Neon and internally illuminated signs Neon and internally illuminated signs are prohibited in all residential zones, the East Haddam Village District, C-3 District, and all IG Districts *except for IG-1, IG 4, IG 7, IG 9*). *Internally illuminated signs are permitted in IG-1, IG 4, IG 7, IG 9 Districts but are limited to one “open sign” 12” X 18” and must be mounted on the building below the first floor ceiling level and is to be illuminated only during business hours.*

Internally illuminated and neon signs are permitted in C/B/IG District but are limited to two per establishment, one “open sign” 12” X 18” and one other internally illuminated or neon sign not to exceed 6 square feet. Internally illuminated or neon signs are to be mounted on or in the building and are to be illuminated only during business hours. No internally illuminated sign may be mounted on the building above the first floor ceiling level without a application and approval for second floor occupants .

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

Maintenance. *All signs shall be maintained in a clean, proper working order, free and clear of rubbish and weeds. Normal maintenance shall include painting, changing, replacing broken light fixtures and lenses, adding, or removing advertising or information on display surfaces and routine repairs necessary to keep the sign in a neat, clean, attractive and safe condition, and reflecting the current occupancy of the site.*

Non-Conforming Signs: Signs existing upon the effective date of this Regulation and not conforming to its provisions, or any amendment thereto, shall be deemed a non-conforming sign. No non-conforming sign shall be structurally altered, relocated, or replaced *other than changes in content; nor shall any non-illuminated non-conforming sign be illuminated;* and no new signs shall be installed on the lot, except those in compliance with these Regulations. See Section 12.4 regarding changes in content or text.

Obsolete Signs. Any Sign Face now or hereafter existing which no longer advertises a bona fide business or product sold shall be removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign may be located within thirty (30) days after written notification from the Zoning Agent. Failure to comply with such notification shall be deemed a violation of these Regulations, and subject the violator to such penalties as may be provided by law. This paragraph shall not require the removal of the Sign structure absent evidence of an intent to abandon a non-conforming sign.

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

Obstruction of Light or Air: No sign shall be placed in such a position that it could obscure any window or doorway intended for light or air.

Other Permits Required: All signs that are considered structures and shall meet the required Electrical and Building Codes of the [Town of East Haddam] ***of the State of Connecticut.*** Only materials permitted by the Building Code governing structural materials and equipment as approved by the Building Official, conforming to standard engineering practices, shall be used in the manufacture and erection of signs. [All electrical signs shall bear the seal or certification of an approved testing laboratory.]

Projection: Signs affixed flat or parallel to buildings or other structures shall not project more than eighteen (18'') inches there from or project beyond the side of the structure, and shall be located so that the highest part of the sign shall not extend above the highest portion of the main exterior wall nearest the street.

Delete [Residential Development Signs: Residential Development signs depicting the name or address for subdivisions are prohibited.]

Setback: Signs shall be set back at least fifteen (15') feet from the edge of any paved roadway, or that portion of a road which is improved, designed or ordinarily intended for vehicular use, or located on the applicant's property, whichever is greater, except that ingress and egress signs may be located on that portion of the applicant's property immediately adjacent to the road right-of-way, provided each such sign shall not exceed one (1) square foot in area and twenty-four (24'') inches in elevation and is limited to one such sign per ingress or egress.

Warning and Traffic Control on Private Premises: All signs for the purpose of traffic control on private property shall be in conformance with the size, shape, color, and use provisions as specified in the latest revisions of the State of Connecticut, Manual of Uniform Traffic Control Devices.

Window Signs: Any sign located on or within two (2') feet of the interior surface of a window, and if intended for viewing from the exterior of the window, shall be considered a sign and subject to the provisions of this Section 12.

12.4 SIGNS NOT REQUIRING PERMITS **REORGANIZED ALPHABETICALLY**

The following signs may be erected without the issuance of a Certificate of Zoning Compliance, and without review by the Commission, provided such signs conform to the requirements set forth below and meet the general restrictions of Section 12.3.

Change in Text/Content: A change in the text or content of a sign, with no other change in size, location, color, illumination, or any other aspect of the sign, shall not require the issuance of a new Sign Permit, provided such change in text or content does not change the classification *or method of illumination* of such sign, as set forth in these Regulations. *If the property is within the Historic District, the applicant is still required to have the sign reviewed and approved by the Historic District Commission.*

Non-Advertising Traffic Control Signs. Directional signs whose purpose is to reduce street congestion by directing traffic flow to entryways and parking areas, *provided that such signs are not designed* to become an additional form of advertising by displaying company logos, *symbols, motif colors,* or products.

Temporary Building Signs: Temporary building signs located on land where building or buildings are actually under construction limited to a maximum of six (6) square feet. Such signs shall be removed within thirty (30) days of the completion of the activity advertised. Signs may include the names of the contractors, architects, engineers, and similar information about the building under construction.

Temporary Commercial Signs: Signs advertising a sale or special event as part of an ongoing business are permitted, will be treated as part of the sign coverage area for the lot (see Section 12.5b.2) and must be removed within 48 hours of the end of the advertised sale or event. *One temporary sign per business. Temporary Commercial Signs (portable signs) shall not exceed six (6) square feet per side.*

Temporary For Sale/For Rent Signs: In any district, two (2) non-illuminated, signs containing not more than six (6) square feet each may advertise the sale or rental of the premises on which the sign is situated and shall be removed within one (1) week of the sale or rental of the premises.

Temporary Political Signs: Signs shall not exceed eight (8') feet in height and thirty-two (32) square feet in area, *shall be erected no sooner than 90 days before the activity advertised and shall be removed within fourteen (14) days of the completion of the activity advertised.* See *Temporary Non-Profit Organization Signs*

Temporary Non-Profit Organization Signs: Any sign for a civic, charitable, religious, patriotic, or similar non-profit organization event with the permission of the property owner or when placed on property of the Town of East Haddam with the permission of the First Selectman. Such sign shall not exceed eight (8') feet in height and thirty-two (32) square feet in

area, shall be erected no sooner than sixty (60) days before the activity advertised and shall be removed within fourteen (14) days of the completion of the activity advertised.

Temporary Signs for Public Auction, Permits and Public Projects: Temporary signs required to comply with Town, State, or Federal regulations or orders shall not exceed the minimum size required by statute or regulation. Duration of display shall not exceed the minimum time required by statute or regulation.

Temporary Sale Signs: One (1) temporary sign, **accessory to a dwelling**, not more than two (2) square feet in area, advertising the sale of an item of personal property owned by a person residing on the premises may be displayed.

12.5 SIGNS REQUIRING PERMITS:

12.5A RESIDENTIAL DISTRICTS

The following signs shall require review and approval by the Commission of the proposed location, dimensions, illumination, height, color, and other details of each sign, and an application fee set **forth** in the Town of East Haddam Town Ordinance Book. All signs in Residential Districts shall be compatible with the rural, New England character of the Town, and, in addition, shall conform to the following requirements:

1. **Home Occupation:** In any Residential District one (1) sign may advertise the business or services legally conducted or offered on the same lot on which the sign is situated. The sign shall not exceed three (3) square feet **and shall not be illuminated.**

2. **Temporary Signs for Residential Development:** On subdivisions or other residential developments involving six (6) or more lots or units, the developer and/or Realtor may display a **non-illuminated** sign not to exceed twenty (20) square feet. Such sign shall comply with all other requirements of the Zoning Regulations. Also, such signs shall be removed within one (1) week of the sale or rental of the last lot or structure in the subdivision.

3. **Non-Residential Uses:** On lots containing a farm, church, place of worship, parish hall, cemetery, museum, school, college, university, membership club, philanthropic institution, hospital, recreation facility, nature preserve, wildlife sanctuary, convalescent home, sanitarium, public utility facility, or building, use or facility of the Town of East Haddam, or other non-residential use permitted in residential zones by these Regulations, one (1) sign not exceeding **twenty (20)** [sixteen (16)] square feet

4. **Residential Development:** Signs depicting the name or address of a subdivision, multi-family development, residential common interest community, or similar residential development are limited to one (1) sign of six (6) square feet and shall be permitted only when provisions for its maintenance has been made through a homeowners association agreement or similar device.

12.5B COMMERCIAL DISTRICTS

1. **Residential District Signs:** Any sign permitted in the Residential Districts.

2. **Commercial Signs:** [Two (2) s] Signs may advertise the business or service conducted or offered on the same lot on which the sign is situated. The total sign face or area of all signs shall not exceed 10% of the building [frontage] **facade** area for the building for which the sign appears; provided, however that no sign shall exceed 32 square feet. Window signs, temporary signs, and banners are included in the maximum sign face area authorized by this Section. One freestanding sign per lot not to exceed twenty (20) square feet may be permitted. ***The freestanding sign shall be counted towards the maximum sign face area. For buildings having multiple occupancy, the allowable signage shall be divided based on each occupant's square footage share of the building.*** Directory signs shall not be counted toward maximum sign face area authorized by this Section.

3. **Directory Signs:** Directory signs are intended to direct attention to various non-residential land uses. Directory signs may display a horizontal area not to exceed four (4) square feet for each unit of occupancy or land use. Maximum height shall be twelve (12') feet, maximum width shall be eight (8') feet. Signs located at strategic points are to be consolidated as directed by the Commission.

4. **Pennants, Flags, and Banners:** Pennants, flags, and banners, such as those made of cloth, aluminum or plastic, if used to advertise goods sold, services rendered, or activities shall be considered and calculated in the total signage allowed and must comply with all applicable sections of these regulations.

5. **Temporary Commercial Signs:** Signs advertising a sale or special event as part of an ongoing business are permitted, will be treated as part of the sign coverage area for the lot and must be removed within 48 hours of the end of the advertised sale or event. ***One temporary sign per business. Temporary (portable signs) Commercial Signs shall not exceed six (6) square feet per side.***

Portable Signs: One movable or portable sign per lot may be allowed [after commission review]. Review will be on placement, design, and character of each sign. Portable signs shall not exceed ten (10) square feet in area.] ***Delete all***

12.5C INDUSTRIAL ZONE (C/B/IG and IG-1 through IG-10)

1. **Residences in Industrial Zones:** Any sign permitted in the Residential Districts for uses allowed in Residential Districts.

2. **Industrial Signs:** [Two (2) s] Signs may advertise the business or service conducted or offered on the same lot on which the sign is situated. The total sign face area of all signs shall not exceed 10% of the building [frontage] **facade** area for the building for which the sign appears, provided, however that no single sign shall exceed 32 square feet. Windows signs, temporary signs, and banners are included the maximum sign face area authorized by this Section. No freestanding signs shall exceed twenty (20) square feet each. ***The freestanding***

sign shall be counted towards the maximum sign face area. For buildings having multiple occupancy, the allowable signage shall be divided based on each occupant's square footage share of the building.

3. Directory Signs: Directory signs are indented to direct attention to the various non-residential land uses offered. Directory signs may display a horizontal area not to exceed (4) square feet for each unit of occupancy or land use. Maximum height shall be twelve (12') feet. Maximum width shall be eight (8') feet. Sign locations at strategic points are to be consolidated as directed by the commission.

12.6 APPLICATION REQUIREMENTS AND CRITERIA FOR EVALUATION OF SIGN PERMIT APPLICATIONS

1. Regulated Signs: Except for those signs enumerated in Section 12.4, no sign shall be erected or established until the issuance of a Sign Permit. For any use of land or buildings requiring Site Plan Approval pursuant to Section 14A of these Regulations; ***for any use or activity requiring a Special Exception pursuant to Section 14B of these Regulations***; and for any use of land or buildings requiring Floating Zone approval pursuant to Section 17 of these Regulations; all required information shall be submitted as part of the application for such Site Plan Approval, Special Exception, or Floating Zone. ***Any modification (other than content of text) of the signs approved in connection with a Site Plan Approval, Special Exception, or Floating Zone shall require modification of such approval in accordance with the applicable Section of these Regulations for that type of approval.*** Where no application for Site Plan Approval, Special Exception, or Floating Zone is involved, the application for Sign permit shall be filed separately with the Commission.

2. Application for Sign Permit: Information and Fees Required: Unless specifically waived by the Commission, every application for Sign Permit shall contain, at a minimum, the following information:

- a. A site plan depicting the location of the sign(s) on the subject site and its relation to adjacent buildings and structures, and any associated landscaping, lighting sources, structural components, and the like.
- b. An illustration of the proposed sign(s), including dimensions, text/content, materials, color, and structural support.
- c. A narrative description of the sign(s), including its purpose, method if illumination, materials (if not evident from the illustration), the section of the Regulations under which such sign is permitted, a description of the Regulations under which such sign is permitted, a description of the total area, location, type and other information for all other signs on the lot, and any other information not contained in the sign plan or illustration.
- d. For a temporary sign (other than those listed in Section 12.4), the dates upon which the sign is to be displayed, and the purpose thereof.

e. Such other information as the Commission may require to determine compliance with these Regulations.

f. An application fee in the amount of set forth in the Town Ordinance.

3. Criteria for Review:

a. That the proposed sign(s) conforms with all applicable requirements of these Regulations.

b. That the proposed sign(s) is appropriate in size, location, illumination, and character for the building or use with which it is associated, and the area in which it is proposed; in harmony with the historic, rural character of the Town of East Haddam; and will not adversely impact property values, public safety, or the general welfare.

c. That the proposed sign(s) are designed, constructed, located, erected and maintained in accordance with all applicable requirements of the State Building Code.

d. For signs associated with users requiring a Site Plan Approval; Compliance with the criteria of Sections 14A (Site Plan Approval) of these Regulations; for signs associated with uses requiring a Special Exception: Compliance with the Regulations; and for signs associated with uses requiring approval as a Floating Zone: Compliance with the criteria of Section 17 (Floating Zones) of these Regulations.

e. In addition to the minimum and maximum parameters contained in this Section 12, the Commission may also impose more restrictive requirements where required to protect the public health, safety, welfare, property values, the natural environment, the character of historic areas, or the other purposes of these Regulations. The situations where such additional restriction may be imposed include, but are not limited to, the following: Areas of historic importance; nonconforming non-residential uses in Residential Zones; signs in locations where sight line hazards may be created or maintained; developments adjacent to uses requiring special protection from light and the other characteristics of signs, such as hospitals and rest homes, schools, churches, and other public or community buildings.

4. Action: The Commission may approve, modify and approve, or deny an application for Sign Permit. Such modifications may include, but are not limited to, requirements for certain dimensions, illumination, lettering size, location, height, landscaping, and other characteristics or dimensions of the sign(s), even when such requirements are more restrictive than the minimum and maximum requirements contained in this Section 12. In determining such requirements, the Commission shall consider the character of the area where such sign is located, the use with which it is associated, the types, sizes, dimensions, and the like of surrounding signs (both existing and proposed), and the general compatibility of the sign(s) with the most desirable and tasteful developments (both existing and proposed), located on parcels in the general area.