

Manchester Village Sign Regulations

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SIGN REGULATIONS – Manchester Village

10.1 Purpose

The Village finds that to protect the health, safety, property, and welfare of the public; to preserve the orderly, attractive, and historic appearance of the community; to prevent proliferation of signs and sign clutter; to provide for safe construction, location, erection, and maintenance of signs; it is necessary to regulate the number, design, construction, location illumination, and maintenance of signs.

Legal Basis

This sign regulation is a part of a special regulation of the Zoning Bylaw under the authority of 24 VSAA, Chapter 117, Municipal and Regional Planning and Development Act. Additionally, this bylaw relies upon the authority of the Charter of the Village, as amended, and 24 VSA Section 2291(7) for the adoption, administration, and enforcement of ordinances and bylaws.

10.2 Permit Requirements and Procedures

10.2.1 Permit Requirements

Unless specifically exempted by this regulation, no sign shall be erected, altered, or relocated with the Village of Manchester without first obtaining a sign permit from the Zoning Administrator.

10.2.2 Review Process

Unless specifically exempted under Section 10.6.1, before erecting a new sign or expanding or otherwise changing an existing sign, an applicant shall:

- 1) Obtain an application and a copy of the Sign regulations.
- 2) Design the sign in accordance with the Sign regulations, including the Design Guidelines, taking into account where it will be located and how it will be constructed and mounted.
- 3) Submit the completed application form, along with appropriate photographs, drawings, color chips, etc., to the Manchester Village Zoning Administrator.
- 4) The complete application and supporting materials shall be processed as provided in 4.6 of the zoning bylaw. If in the sole opinion of the Zoning Administrator the proposed sign complies with the regulations herein, and the approval interval would be detrimental to the applicant the Administrator may, at his discretion, issue a permit to temporarily display the sign until a final decision on the application has been made by the Planning Commission. A temporary permit shall not vest a right for a subsequent permanent permit.
- 5) Once a permit is issued, the sign must be built and displayed according to the specifications in the approved application. Any changes will require a new application.

10.2.3 Fees

Reasonable fees may be established to help defray the costs of administration.

10.3 Design Guidelines

- 10.3.1 Village Setting Compatibility – The design, size, location, lighting and other aspects of signage is to be compatible with the Village setting and conform to all requirements of the Village Sign Regulations.
- 10.3.2 Neighborhood Compatibility - The design should consider the type and design of conforming signs in the neighborhood and adjoining properties.

- 10.3.3 Architectural Compatibility – The design should consider the type and period of the building and provide a harmonious relationship to architectural features and proportions.
- 10.3.4 Location - Signs should not obscure important architectural features such as the cornice, window trim, door trim, porch railing, etc. Location of freestanding signs should also be compatible with buildings and architecture, landscaping, walkways, setbacks, etc.
- 10.3.5 Shape – Sign shape should also be harmonious with buildings and neighborhood, and by be simple and rectangular, or tastefully curved.
- 10.3.6 Layout and Artwork – Lettering with a historic precedent is preferred. Lettering which is bold, harsh, and “trendy” is discouraged. An appropriate logo or artwork may be incorporated.
- 10.3.7 Color – Subdued colors are preferred.
- 10.3.8 Materials – Materials should be selected which maintain the historic integrity of the Village.
- 10.3.9 Supports and Brackets – Supports should be constructed of wood or wrought iron, and should enhance, not overwhelm, the sign. The sign bracket shall extend the full length of the sign.

10.4 General Regulations

- 10.4.1 A sign may provide the name of the business or facility, a description of the business or service conducted on the premises, the street number of the premises, the year the business was established, and a slogan. A sign may also indicate that the property is for sale, rent, or for lease.
- 10.4.2 A sign shall not interfere with the safety of pedestrians or vehicular traffic.
- 10.4.3 A sign shall not interfere or obstruct an official traffic sign, signal, or marking.
- 10.4.4 A sign may be illuminated. The lighting used shall not exceed 1000 lumens (equivalent to a 75 watt incandescent light) per sign face, and the source of illumination shall be shielded and directed solely at the sign. All lighting shall be shielded from neighboring properties, and positioned in a manner to eliminate glare to the traveling public. All sign lighting shall be turned off by 10 PM unless the premises are open for business after that time, or lighting is necessary for safety or security.
- 10.4.5 All permanent signs shall be constructed and erected in a safe and sturdy manner.
- 10.4.6 All electrical installation shall conform to the State Electrical Code, and shall be underground for free standing signs.
- 10.4.7 Signs must be kept in good repair such that they do not detract from the neighborhood or constitute a safety hazard. If the Zoning Administrator has reason to believe that a sign is an eyesore or is in an unsafe condition, he may issue a violation notice detailing his reasons for doing so, and give the owner a specified number of days to correct the problem. If it is not corrected, the Village may order the sign removed at the expense of the owner. All costs associated with removal shall be at the expense of the owner.
- 10.4.8 All signs shall be located on the same lot as the principal use, unless otherwise provided.
- 10.4.9 Except as otherwise provided, signs shall be located outside of the right-of-way, and may not be located with 10 feet of a side line.

10.5 Standards

10.5.1 Residential District Signs

- 1) Each residence shall be allowed as an exempt sign, one nameplate identifying the owner/tenant of the dwelling, and/or the name of the residence, and/or identification of permitted home occupation. Such signs shall be unlighted, and shall not exceed 1.5 square feet in area, nor have any dimension greater than 24 inches. The sign shall be located on or as close as practical to the building or property entrance. If attached to other than a building, it shall not exceed six feet in height. The sign also may be located for a resident or residents at a point where a right-of-way serving the resident(s) leaves a public street. Such a sign may not be placed in the street right-of-way.
- 2) The following signs are permitted in all residential (RR, VR, and MR) districts:
 - a. Not more than one additional sign in addition to the exempt sign. Said sign shall comply with the standards of 10.5.1.1.
 - b. Temporary signage as allowed under these regulations as provided in 10.6.3.
 - c. An additional sign located at the main entrance of multi-family complexes or subdivisions. Said sign shall contain the name of the complex only, and not exceed 4 square feet, nor have any dimension greater than 36 inches. The sign shall not exceed six feet in height.

10.5.2 Business District Signs

The following signs are permitted in all business (B-1, B-2, and EHD) districts:

- 1) **One Building, One Tenant**
 - a. One of the following types of signs may be allowed: wall, window, perpendicular, arcade, or freestanding.
 - b. The sign shall not exceed 6 square feet in area.
- 2) **One Building, Multiple Tenants**
 - a. A master sign plan for the building complex and the parcel is required. The master sign plan shall be suitably scaled and indicate the types and locations of all signs to be located on the building complex and parcel. The plan shall incorporate the design guidelines in Section 10.3
 - b. Consistent with an approved master plan, one free standing nameplate sign indicating the name of the complex and tenants may be allowed.
 - c. With individual permits and consistent with the approved master sign plan, each tenant may be allowed one or two signs of the following types: wall, window, perpendicular, or arcade. The aggregate area shall not exceed six square feet.
 - d. No sign above shall exceed 6 square feet in area.

10.5.3 Signs and the Public Right-of-Way:

Where existing buildings nearly border the public right-of-way (R.O.W.). The location of projecting or freestanding signs which are otherwise permitted may protrude into the R.O.W. Consistent with Section 10.6.4.7, this Section enables the Planning Commission to permit a sign within the R.O.W. provided that:

- a. it does not interfere with the safety of vehicular traffic;
- b. it does not interfere with the safety of pedestrians;

- c. it complies with all other requirements of these regulation, including 10.3;
- d. it will be removed if, in the judgment of the Planning Commission, it adversely affects future public investments/improvements.

Signs which protrude into the right-of-way require a permit from the Village Trustees.

10.5.4 Supplemental Business Sign Standards

1) Window Signs

Temporary window signs including real estate signs in windows, may be displayed for a maximum of fifteen consecutive days, with a period of thirty days between usages, and no more than three usages per year. Temporary window signs may not exceed six square feet in area, with a maximum dimension of thirty six inches. Permits for window signs are valid for twelve months, and may be renewed. Temporary window sign may be changed without permission, as long as size, color, and general design comply with the sign originally approved.

Window signs listing hours of operation, emergency information, and the like (excluding product or service information or real estate signs) are exempt as long as the aggregate are of such sign(s) do not exceed one square foot.

2) Special Events and Sales

Special event and sales signs may be displayed on-premise in the Business and Equinox Historic District for a period not to exceed 5 consecutive days, and not more than 15 days per year. Such signs shall not exceed 4 square feet, nor 30 inches in any dimension. No more than two such signs are permitted per site, to be located at a distance of at least 200 feet apart. Where a master sign plan is required, it shall indicate the location(s) for special event/sale signs.

3) Freestanding Signs

Supports for a freestanding sign shall not exceed a height of ten (10) feet above grade, and the highest point of the sign shall not exceed eight (8) feet in height.

4) Hotels/Inns

Hotels and inns that contain a dining room and/or tavern are entitled to one additional sign in accordance with the standard for one building-one use (10.5.2.1).

10.5.5 Institutional, Public Facilitates, or Open Space/Recreational Uses

- 1) If the use is a permitted use in a zoning district of the Zoning Bylaw, then the sign standards for the particular zone apply.
- 2) If the use is a conditional use in a zoning district of the Zoning Bylaw, then the standards below apply:
 - a. One identification sign shall be allowed for each use. In addition, a bulletin board may be allowed for churches, schools, public offices, and other institutions. One of these may be a freestanding sign, if a sign mounted perpendicular to the surface of the building, and shall not exceed 6 square feet in a residential district, or, in business districts, shall not exceed 6 square feet.
- 3) School are also allowed one athletic scoreboard per playing field. If one athletic field is used for multiple sports, the Planning Commission may approve additional scoreboards.

10.6 Special Classed of Signs

10.6.1 Exempt Signs

- 1) Seasonal decorations on private property.
- 2) Legal notices posted as required by law.
- 3) Street, safety, or directional signs installed and maintained by the Village.
- 4) Up to three national and/or state flags per premises.
- 5) Residential signs a provided in 10.5.1.1.
- 6) Signs on registered motor vehicles, except those which are determined by the Administrative Officer to be circumventing the intent of this ordinance.
- 7) Permanent directional signs, subject to the provisions herein. Such signs shall be:
 - a. limited to one per location to which the public is being directed/instructed.
 - b. on premises as close to the specific location to which the public is being directed.
 - c. no greater than 0.75 square feet in area, and in the case of a freestanding sign no greater than four (4) feet in height.
 - d. consistent with the provisions of Sections 10.3, 10.4, and other applicable provisions of this regulation and Village ordinances.
 - e. subject to permit review. If in the judgment of the Zoning Administrator after consultation with the Planning Commission, directional signs are not consistent with e provisions of 10.3, a permit may be required. The basis for the determination shall be identified, and such permit application will consider existing and prospective signage. Nothing herein shall prevent and owner from mitigating concerns so identified.

10.6.2 Nonconforming and Abandoned Signs

- 1) Nonconformance: All signs which were legally existing signs on the date of adoption of these regulations may remain until such time as the sign is removed, abandoned, discontinued, replaced, of changed, regardless of the intent to replace or change. Any new sign, excluding an identical reproduction of an existing sign, must conform to these regulations. No nonconforming pre-existing sign shall be exempt from these regulations if moved.
- 2) Discontinuance: Any sign which ceases to serve its intended purpose for a continuous period of six months shall not thereafter be resumed or used except in compliance with the sign provisions, regardless of intent to resume.
- 3) Abandonment: A sign is considered abandoned when it is apparent that it's use and maintenance has ceased, or it is apparent that the intent of the owner is to discontinue use. Owners of abandoned signs shall be notified by certified mail that their sign must be removed within 30 days of receipt of the letter. If the sign is not removed, the Village may, or after the 31st day following receipt of the letter, remove the sign and bill the owners for the cost of removal plus overhead costs,

10.6.3 Temporary Signs

- 1) **Tag sale/estate or auction sale/real estate open house signs (all Districts)**

Up to two (2) on-premise signs are permitted for such events. Such signs shall not exceed four (4) square feet, and shall be erected no sooner than the day of the event. Signs shall be removed immediately after the conclusion of the event. Events are limited to a maximum of three days and three events per year. Signs

shall be constructed so as to remain in place, and not cause a hazard to motorists or pedestrians. Signs may not be placed on utility poles or trees, or in a public right-of-way.

2) Special events (all Districts)

Civic, municipal, and not-for-profit organizations which promote special events during each year, may apply for approval of a master sign board not to exceed 30" x 36' upon which promotional messages can be placed. The sign board may be located on or off premises. And should include the name of the organization, and may be double-faced. Once the master sign board is approved by the Planning Commission, promotional messages may be placed on it with no further review or approval required. Changes to the sign board itself, or replacement with a different sign board, shall require approval by the Planning Commission. The Planning Commission, may approve additional master sign boards at their discretion. Sign(s) shall be displayed no sooner than 24 hours prior to the event, and must be removed immediately upon conclusion of the event. A permit for a sign board shall expire 24 months from the date of approval.

3) Real Estate Signs (all Districts)

Real Estate signs which meet all the requirements of these Sign Regulations are permitted as set forth in Section 10.5.1 or 10.5.2.

10.6.4 Prohibited Signs

The following signs SHALL NOT be permitted, constructed, erected, or maintained for display in Manchester Village.

- 1) Signs with flashing, moving, or intermittent lighting of any kind; or moving parts; for example. Signs displaying time and temperature.
- 2) Portable signs, except as permitted in 10.6.3, including any sign mounted on wheels.
- 3) Signs erected in such a way as to obstruct a door, window, or fire escape.
- 4) Signs that are internally lit, back-lighted, or neon.
- 5) Except as allowed herein, signs that are temporarily tacked, tied, posted, or painted on poles, benches, barrels, building, posts, trees, sidewalks, burbs. Rocks. Or any structure.
- 6) Off-premise signs, unless otherwise specified herein.
- 7) Unless otherwise provided, signs that are placed in the public right-of-way, on the public sidewalk, or on any public property, except for a sign erected by the Village of Manchester.
- 8) Vending machine signs
- 9) Roof signs
- 10) Banners, pennants, balloons, streamers, and other similar materials, except as provided in 10.6.1.4.
- 11) Construction and other tradesmen's signs, posted at construction or work sites.
- 12) A sign including "STOP", or "LOOK", or "DANGER", or any other word, phrase, symbol, or character which might be interpreted by a motorist to be a traffic sign placed by a public agency.
- 13) A free-standing sign support exceeding ten (10) feet, and the display portion exceeding eight (8) feet.

10.7 Appeals and Variances

- 10.7.1 An interested person (24 VSA, § 4464) may appeal any decision or act by the Administrative Officer by filing a notice of appeal with the Secretary of the Board of Adjustment, or with the Clerk of the Village if no such Secretary has been elected. Such notice of appeal shall be filed within fifteen (15) days of the date of such decision or act, and a copy shall be filed with the Administrative Officer.
- 10.7.2 Where a variance from the provisions of the regulation is sought, the Zoning Board of Adjustment may grant such a variance only if all the criteria of 24 VSA, § 4468 (a) 1.-5. have been met, and such variance represents the minimum relief required, and the intent of the bylaw is not substantially altered.
- 10.7.3 An interested person may appeal a decision of the Board of Adjustment or Planning Commission to the Environmental Court (24 VSA, § 4471 and § 4472).

10.8 Interpretation, Penalties, and Validity

The interpretation, enforcement, and validity of this sign regulation shall be as provided in the Zoning bylaws, section 10.11, 10.12, and 10.14 respectively. Additionally, these sign regulations rely upon the authority of the Village Charter, Sections 20 and 21, to enforce violations by means of penalties, fines, forfeiture, or other legal remedies. Given the flexible and fluid nature of signage, the Village Charter enables rapid enforcement of its ordinances in instances of violations.

DEFINITIONS

Arcade Sign - any sign projecting beneath the underside of any structural overhang or passageway.

Alter – any change to a sign, with the exception of change of copy or maintenance of an existing sign.

Awning – a structure, usually composed of canvas or other non-rigid material, but which may also be of a rigid material, which provide shelter and shade over windows, entrances, porches, terraces, and the like. Such structures may be adjustable, and are supported either partially or entirely from the exterior wall to which they are attached. Awnings with wording, logos, or other identifying information are wall signs. The area of such sign will be determined as the area of the smallest polygon which encloses all parts of the information message.

Banners - non-rigid material secured or mounted so as to allow movement caused by wind. Traditionally sized national flags, flags of states, are excluded from this definition.

Bulletin board – a single faced sign, lighted, or unlighted, for display of notices, bulletins. Schedules, information for the public, etc., most usually used by churches, schools, public offices, and other institutions.

Canopy – see awning.

Change of copy – the change of name of business, personnel, logo, and/or message on the face or faces of a legally existing sign.

Dimensions (of signs) – dimensions of signs are measured:

For signs which are regular irregularly polygons with distinct exterior boundaries (i.e., the background material upon which the sign is placed), the dimensions shall be measurements of the exterior boundaries of the sign.

For signs which are irregular, and/or have no backing material to form a mass (i.e., letters placed on a building wall, a logo placed with lettering, but which is larger than the lettering, etc.), dimensions shall be the area of the smallest regular polygon which enclosed all parts of the informational message.

Directional signs – a permanent sign void of advertising, necessary for the safety and direction of residents, employees, patrons, or visitors whether in a vehicle or on foot.

Facing or surface – the surface of a sign upon, against, or through which the message is displayed or illustrated. A two-faced sign is considered to be one sign, and may have a permitted sign area found in these regulation for each face of the sign.

Flag – see banners.

Free-standing sign – a sign supported by one or more uprights or braces placed upon the ground, and not attached to any building.

Garage sale/tag sale sign – a sign advertising a sale of goods which temporarily occurs at a residential dwelling.

Multiple tenant business building – a business building in which there is more than one spate commercial or industrial establishment.

Multiple tenant business development – a business development of more than one building in which there exists more than one spate commercial or industrial establishment, in which there may be shared facilities such as parking, pedestrian mall, or common ownership of the real property upon which the development is located.

Name plate – a sign identifying the name, street address, occupation, and/or profession of occupant of the premises.

Permanent sign – any legally placed sign which is intended to be, and is so constructed as to be, of a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear), and position, and affixed in a permanent manner to the ground or to the wall of a building.

Perpendicular sign – a conforming sign mounted at right angles to the wall of a building.

Real estate sign – a sign which advertises the real estate on which it is located for rent, sale, or lease.

Roof sign – a sign placed upon any part of the roof of a building, including sides of mansard roofs, gables, dormer, etc.

Sign – any object, made of any material, including symbols, lettering, and logos, located on any surface, the purpose of which is to call attention to, or advertise, a place, building, product, land use, service, or person for without the building, Merchandise displayed inside windows of business establishments is not considered a sign.

Sign height – the vertical distance from the lowest point of the adjacent grade below the sign to the highest part of the sign or sign supports.

Single tenant, multiple building business development – a business development of more than one building in which there exists a single business use.

Temporary sign – any type of sign not permanently attached to the ground or to a building, and which is intended to be displayed for a limited time period.

Traffic control sign or device – a route marker, guide, sign, warning sign, or sign regulating traffic, which has been erected by the Village of Manchester.

Wall sign – a sign attached to, erected against, or painted on a wall of a structure. Awnings, canopies, and marquees which contain language or logos are considered signs.

Window sign – a sign, located inside a building, or on a window surface, the purpose of which is to be visible from without the building.