

TOWN OF CHESAPEAKE CITY, MARYLAND  
ORDINANCE NO: 2021-001

AN ORDINANCE OF THE TOWN OF CHESAPEAKE CITY TO AMEND SECTION 6.5 SIGNS OF THE CHESAPEAKE CITY COMPREHENSIVE DEVELOPMENT ORDINANCE.

WHEREAS, The Land Use Article of the Annotated Code of Maryland, authorizes the governing body of municipal corporations to implement planning and zoning controls for the orderly development and use of land and structures, such powers are for public purposes of promoting the health, safety, and general welfare of the community;

WHEREAS, Section 26-20 of the Charter of the Town of Chesapeake City (the “Town”) grants the Town Council the authority to exercise the powers as to planning and zoning, conferred upon municipal corporations generally in The Land Use Article of the Annotated Code of Maryland;

WHEREAS, on May 14, 2012, the Town adopted Ordinance No. 4.9.2012, which adopted the Town’s Comprehensive Development Ordinance (The “CDO”);

WHEREAS, the CDO has been amended from time to time since its adoption in 2012, most recently in 2020 with respect to the Penalties for Violation, Zoning Administrator, and the Building Height provisions;

WHEREAS, the Town’s Planning Commission has studied and reviewed the Sign Section of the CDO, and has initiated amendments to those provisions and definitions in accordance with Section 2.2.3 of the CDO, and has recommended that such amendments be adopted by the Town; and

WHEREAS, it is in the best interest of the Town that the Sign Section of the CDO be amended.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF CHESAPEAKE CITY, MARYLAND AS FOLLOWS:

SECTION 1. The following sections of the Comprehensive Development Ordinance of the Town of Chesapeake City are hereby repealed and reenacted to read as set forth on the attached documents.

- §6.5 Signs

Wording on the attached documents in CAPITAL LETTERS indicates text added to the existing ordinance. Wording on the attached document that is crossed out indicates text being deleted from the existing ordinance.

SECTION 2. Should any provision, section, paragraph, or subparagraph of this ordinance, including, any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph, or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph, or subparagraph is expressly declared to be and is deemed severable.

SECTION 3. The title of this ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this ordinance for publication and all other purposes.

This Ordinance having been introduced on \_\_\_\_\_, 2021 and adopted on \_\_\_\_\_, 2021, we hereby affix our signatures. Effective \_\_\_\_\_, 2021. A summary of this Ordinance shall be published in at least one newspaper having general circulation within the Town of Chesapeake City.

BY AUTHORITY OF THE MAYOR  
AND COUNCIL OF THE TOWN OF  
CHESAPEAKE CITY, MARYLAND

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Valarie Walls, Clerk

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Richard Taylor, III, Mayor

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Ayes

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Nayes

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Absent

Approved as to Form:

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Thomas N. Yeager,  
Attorney for the Town of Chesapeake City

§ 6.5 Signs

3-25-2021

§ 6.5.1 Purpose and Applicability

A. Purpose and Applicability

The regulations established by this Section are intended to appropriately limit the placement, type, size, and number of signs allowed, and to require the proper maintenance of signs. The purposes of these limitations and requirements are to:

- 1. Ensure that signs safely attract and direct persons to various destinations;
- 2. Protect public and private property values and investment;
- 3. Reduce hazards to motorists and pedestrians which result from excessive, confusing, and distracting signs; and
- 4. Preserve and enhance the aesthetic and historic quality of the community.

B. Applicability

- 1. Any sign erected, placed, attached, altered, reconstructed, or modified shall conform to this Section.
- 2. Existing **OR NON-CONFORMING** signs shall not be altered or moved unless in compliance with this Section.

§ 6.5.2 Administration

A. ~~Sign Permits and Sign Programs~~ **APPLICATIONS**

- 1. No sign shall be installed, constructed, or altered unless a Sign Permit and, or where applicable, a Sign Program, approval is first obtained in compliance with this Section, or the sign is allowed without Sign Permit approval as provided in §6.5.4.
- 2. **AN APPLICATION FOR A SIGN PERMIT SHALL BE PREPARED AND FILED WITH THE ZONING ADMINISTRATOR. THE APPLICATION SHALL INCLUDE REQUIRED APPLICATION FEES, ELEVATIONS AND PLANS OF ALL PROPOSED SIGNS DRAWN TO SCALE, WITH ALL DIMENSIONS NOTED. THE PLANS SUBMITTED SHALL ALSO SHOW THE LOCATION OF EACH SIGN ON BUILDINGS AND/OR THE SITE.**

3. THE ZONING ADMINISTRATOR SHALL REVIEW AND APPROVE OR DENY ALL SIGN PERMIT APPLICATIONS FOR SIGNS LOCATED OUTSIDE OF THE HISTORIC DISTRICT. WITHIN THE HISTORIC DISTRICT, THE HISTORIC DISTRICT COMMISSION SHALL REVIEW APPLICATIONS FOR SIGN PERMITS AND ADOPT AND FILE WITH THE PLANNING COMMISSION CERTIFICATES OF APPROVAL OR REJECTION. THE PLANNING COMMISSION SHALL CONSIDER THE HISTORIC DISTRICT COMMISSION CERTIFICATE IN ITS REVIEW AND APPROVAL OR DENIAL OF A PERMIT. THE REVIEW AUTHORITY MAY REQUIRE CONDITIONS OF APPROVAL AS ARE REASONABLY NECESSARY TO ACHIEVE THE PURPOSES OF THIS SECTION.
24. After approval of a Sign Permit and/or Sign Program, each sign installed and maintained on the subject site shall comply with the Permit and Program.

**B. ~~Sign Permit Application~~**

~~An application for a Sign Permit shall be prepared and filed with the Zoning Administrator.~~

**C. ~~Application Contents~~**

~~The application shall include required application fees, architectural elevations and plans of all proposed signs drawn to scale, with all dimensions noted. At the discretion of the Zoning Administrator, it shall include illustrations of all proposed colors and materials or samples of the proposed colors and materials. The plans submitted shall also show the location of each sign on buildings and/or the site.~~

**D. ~~Sign Permit Review Authority~~**

~~The Zoning Administrator shall review and approve or deny all Sign Permit applications for signs located outside of the Historic District. Within the Historic District, the Historic District Commission shall review applications for sign permits and adopt and file with the Planning Commission certificates of approval or rejection. The Planning Commission shall consider the Historic District Commission certificate in its review and approval or denial of a permit. The review authority may require conditions of approval as are reasonably necessary to achieve the purposes of this Section.~~

**EB. Sign Programs**

1. A Sign Program shall be required for any multiple occupancy commercial, professional, industrial, residential, or institutional sites; or separately identifiable building group, such as a medical complex or shopping center; or an individual site of at least one acre in size or with a proposed development exceeding **TEN THOUSAND** (10,000) square feet of total building space.
2. The Purpose of the sign program shall be to establish signage for all tenants and users of a complex, center or development site. An approved Sign Program shall prescribe the

standards for all signs within the area coverage by the Program including size, number and types of signage permitted.

3. A Sign Program shall be approved by the Planning Commission. Within the Historic District, prior approval of the Historic District Commission shall be required.
4. A Sign Program shall comply with all provisions of this Section and is not intended to provide special or additional signage.

**FC. Permit and Program Findings for Approval**

The approval of a Sign Permit or Sign Program shall require that the review authority first make all the following findings:

1. The proposed sign(s) do not exceed the standards of this Section, and as applicable, are of the ~~minimum~~ **MAXIMUM** size and height necessary to enable motorists and pedestrians to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. The proposed signs are in substantial conformance with the design criteria as may be maintained by the Town.

**GD. Approval Period and Expiration**

A Sign Permit or Program approval shall expire one **(1)** year from its date of ~~issuance~~ **APPROVAL** unless the sign or signs have been installed within the period or a later expiration date is stated in writing at the time of approval.

**HE. Sign Design Guidelines**

The Zoning Administrator may maintain guidelines for applicants for Sign Permits and Sign Programs regarding the placement, appearance, design, and construction materials and may use such guidelines to assist applicants in complying with the purpose and provisions of this Section.

**§ 6.5.3 Prohibited Signs and Signage**

**A. In Relation to Location**

1. No signs shall be attached to utility poles, traffic signal poles, traffic control posts/signs, rocks, or trees visible from the public right-of-way whether on public or private property.
2. Except for official public way finding signs and official directional, safety or traffic signs, no sign whether temporary or permanent shall be placed within any public rights-of-way within the Town **UNLESS SPECIFIED WITHIN THIS SECTION.**

3. No sign shall be located which will interfere with traffic visibility along the right-of-way of any street or along any private driveway exiting or entering a site or on any slope or drainage easement of a street.
4. No signs shall be ~~located on or above any part~~ **ATTACHED TO THE SLOPED SECTION** of a roof structure, **EXCEPT IN THE GENERAL COMMERCIAL DISTRICT.**
5. ~~No sign shall be located above the first floor on a building except in the Village Commercial, General Commercial, and Marine Commercial districts upon approval of the Zoning Administrator or the Planning Commission. Applications for signs located above the first floor which are located in the Historic District shall be reviewed by the Planning Commission only after first obtaining a certificate of approval from the Historic District Commission.~~
65. No sign may be painted directly on any wall or roof of a building or on a fence visible from the public right-of-way.

**B. In Relation to Sign Character**

1. No sign shall project any intermittent, light emitting diode, or flashing illumination except for official public road or street signs intended to promote traffic safety. **NEW ELECTRONIC MESSAGE CENTERS (EMCS) AND DIGITAL ELECTRONIC SIGNS OF ANY KIND, ARE PROHIBITED.**
2. **NO FLASHING OR ROTATING SIGNS SHALL BE PERMITTED.**
3. **PENNANTS, STREAMERS, MOVING, FLASHING, WINDBLOWN AND ALL OTHER FLUTTERING, SPINNING, OR SIMILAR TYPE SIGNS WHICH INCLUDES STRINGS OF LIGHT BULBS, BALLOONS OR OTHER INFLATED OBJECTS ARE PROHIBITED. WITH THE EXCEPTION OF SPECIAL EVENTS, WHERE YOU MAY APPLY, TO THE ZONING ADMINISTRATOR, FOR AN EXCEPTION TO THIS SECTION FOR THE PERIOD OF THE EVENT.**
4. Except for official traffic signs, no sign shall be displayed, visible from the public right-of-way, which uses the words “stop” or “danger” or that implies a need for or requirement of stopping or the existence of danger.
5. Signs that are obscene, illegal, hazardous to traffic, imitative of official government signs: (i.e., Stop, Danger, Caution, etc.) or obstructive to public visibility, so as to create a hazard to the public are prohibited.
6. Signs, attached to a parked motor vehicle, exceeding **TWELVE** (12) square feet in area or the maximum allowable height for freestanding signs in the zoning district shall be prohibited. Signs attached to a motor vehicle which exceed four (4) square feet but are less than **TWELVE** (12) square feet are allowed only under the following conditions:

- a. The vehicle is a registered, tagged, and operable vehicle and is parked in an approved parking space associated with the physical address of the sign applicant
  - b. The area of the sign attached to a motor vehicle shall count against the allowable sign area and/or total number of signs for the site on which the vehicle is legally parked.
7. Billboard signs are prohibited.

**C. In Relation to Safety, Condition and Neglect**

1. No sign shall be permitted which becomes unsafe or endangers the safety of a building, premise, or person. The Zoning Administrator shall order such signs to be made safe, to be repaired, or to be removed and such order shall be complied with within seven (7) days of the receipt of such order, unless the condition is such that a shorter compliance period is required for public safety considerations.
2. No sign shall be permitted to remain which through damage, disrepair or lack of maintenance has become impaired in its functionality or blighted in its appearance. The Zoning Administrator shall order such sign to be repaired, replaced, or removed and such order shall be complied with within FORTY-FIVE (45) days of the receipt of such order.
3. Failure to comply with the Zoning Administrator's order provided for in paragraphs 1 and 2 above shall result in the loss of any legal non-conforming status which may exist for the sign and require the sign to be removed and/or to come into compliance with this Code.
4. When a sign structure does not include a sign for a period of NINETY (90) consecutive days, such sign structure shall be deemed a violation and shall be removed.

**§ 6.5.4 Signs Permitted Without Permit**

**A. No Permit Required**

The following signs are permitted without obtaining a Sign Permit or Sign Program approval subject to conditions set forth below:

1. Official traffic and parking signs provided they are erected by a governmental agency.
2. Temporary signs provided the following conditions are adhered to:
  - a. A zoning lot PROPERTY shall not display any temporary sign for more than 60 NINETY (90) days in a year.

- b. ~~IN ALL DISTRICTS~~, the sign is no larger than ~~20~~ six (6) square feet in area and 8 four (4) feet in height. ~~except that on lots in residential use in the TND district, no temporary sign shall exceed 4 square feet or 5 feet in height.~~
  - c. In ~~the TND~~ ALL DISTRICTS, no more than two temporary signs shall be permitted at the same time on a given property except on properties displaying at least one legal non-temporary sign. In such a case, the property shall be limited to only one temporary sign at a time.
  - d. In ~~residential~~ ALL districts, temporary signs shall not be illuminated.
4. ~~Within the Commercial, Marine Commercial, Village Commercial, and Village Center districts, one placard, easel type, sandwich board or A frame type sign per street frontage provided the following conditions are met:~~
- a. ~~The sign shall not to exceed six square feet if one sided (12 square feet if double-sided), or 4.5 feet in total height and two feet in width.~~
  - b. ~~The sign shall not impede pedestrian traffic or motor vehicle visibility, shall be removed before nightfall, and if posted along a road with speed limits greater than 35 miles per hour, it shall be placed at least 60 feet from the street right of way.~~
  - e. ~~Sandwich board signs to be located within the Historic District to be placed on a public sidewalk shall require the issuance of a Sign Permit.~~
5. ~~In Commercial and Marine Commercial districts, one sign associated with the opening of a development provided:~~
- a. ~~It is no greater than 100 square feet in size and no greater than 8 feet in height.~~
  - b. ~~It is removed within 6 months of its installation. Reinstatement of the sign for up an additional 6 month period following the initial 6 month period shall require a Sign Permit. Only two extensions shall be allowed. IT IS REMOVED UPON THE DEDICATION OF ASSOCIATED PUBLIC STREETS AND/OR UTILITIES OR WITHIN ONE YEAR OF ITS INSTALLATION. REINSTATEMENT OF THE SIGN FOR UP TO ONE ONE YEAR PERIOD FOLLOWING THE EXPIRATION SHALL REQUIRE A SIGN PERMIT.~~
6. ~~In the TND, Village Center, and Village Commercial, and RC districts, one sign associated with the opening of a development provided:~~
- a. ~~It is no greater than 32 square feet in size and no greater than 8 feet in height.~~

~~b. It is removed upon the dedication of associated public streets and/or utilities or within one year of its installation. Reinstatement of the sign for up to one one-year period following the expiration shall require a Sign Permit.~~

~~7. One portable sign that is in no way permanently affixed or installed in or to the ground or any structure provided the following conditions are adhered to:~~

~~a. It is no greater than four square feet in area and four feet in height.~~

~~b. It is located no closer than eight feet from any adjoining lot and ten feet from a public right of way.~~

~~c. It is not illuminated.~~

~~d. In zoning districts where total allowable sign area is limited by this Section, the area of this sign shall be included when calculating the maximum allowable sign area.~~

~~e. In zoning district where the total number of signs is limited by this Section, this sign shall be included when calculating the maximum number of signs.~~

83. Signs accessory to parking lot uses provided the following conditions are adhered to:

a. Signs designating entrances and exits shall be limited to one (1) sign per entrance and one (1) per exit and neither sign shall exceed two (2) square feet in area.

b. One (1) additional sign limited to a maximum area of nine (9) square feet is permitted which may be used to set forth conditions of use or identity IDENTIFY the ownership of the parking area.

ec. No such sign shall exceed seven six (6) FEET in height.

94. Commemorative plaques

Signs commemorating an A historical building, its name register and/or erection date, when cut into or affixed to a permanent surface and not exceeding four (4) square feet per building.

~~10. Interior signs. Signs located in excess of five feet inside and away from exterior windows, walls or doors of any building, mall, court, stadium or enclosed lobby, when such signage is intended for interior viewing.~~

115. Street number, address, and/or name

Two (2) such signs for each building not exceeding one (1) square foot each in the TND district and three (3) square feet each in all other zoning districts are allowed without a Sign Permit.

~~12. On site directional signs and notices. Signs showing the location of public facilities within a site such as public telephones, restrooms, and underground utilities are allowed without a Sign Permit.~~

~~13. Official on site legal notice signs required by public hearing notification, zoning or other applications for Town approval as may be required by Town Code.~~

146. Window displays and signs

Signs erected or suspended in the interior of a structure to be viewed from the outside provided the following conditions are adhered to:

- a. No more than ~~50~~ TWENTY-FIVE (25) percent of the window area is covered in signage.
- b. The area of window signage shall be included in the count of maximum allowable sign area and sign number for the site.
- c. No such sign shall be an internally lighted sign.

**B. Non-Permit Signs Not Exempt from Regulations**

While the above listed signs are permitted without a Sign Permit, each must still be in compliance with the terms of this Ordinance. Signs installed with or without a permit, in conflict with the terms of this Ordinance are in violation and or subject to the penalties ~~here~~ **HEREIN**.

## **§ 6.5.5 General Sign Standards**

**A. Standards are Maximum Allowable**

The dimension requirements provided in this Section represent the maximum size or area or distance allowed. Nothing in this ~~is~~ Section shall be deemed to imply that these regulations confer a right to the maximum.

**B. Computations of Area and Height**

1. Area

- a. 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, triangle, or combination thereof 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 the requirements of this Ordinance and is clearly incidental to the display itself.

- b. The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces.

2. Height

The height of a sign shall be computed as the distance from the base of the sign at **THE AVERAGE FINISHED GRADE OF THE WIDTH OF THE SIGN, 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 or (2) the newly established grade after construction, exclusive of 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 zoning lot, whichever is lower.~~

3. Sight Visibility

- a. No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance, or exit.
- b. A sight visibility triangle shall be kept free of obstructions to vision between the heights of two and one-half (2 ½) feet and twelve (12) feet above the street.

**C. Illumination/ Lighting of Sign**

Except within the General Commercial (GC) and Marine Commercial (MC) Districts, no internally lighted signs shall be permitted within Town. Where illumination of a sign is permitted, it shall be permitted only by indirect means external to the sign face.

**D. GENERAL DEVELOPMENT OPENING SIGNS**

- 1. **IN GENERAL COMMERCIAL (GC) AND MARINE COMMERCIAL (MC) DISTRICTS, ONE (1) SIGN ASSOCIATED WITH THE OPENING OF A DEVELOPMENT PROVIDED:**
  - A. **IT IS NO GREATER THAN 400 SIXTY-FOUR (64) SQUARE FEET IN SIZE AND NO GREATER THAN EIGHT (8) FEET IN HEIGHT.**
  - B. **IT IS REMOVED WITHIN 6 MONTHS OF ITS INSTALLATION. REINSTATEMENT OF THE SIGN FOR UP AN ADDITIONAL 6 MONTH PERIOD FOLLOWING THE INITIAL 6 MONTH PERIOD SHALL REQUIRE**

~~A SIGN PERMIT. ONLY TWO EXTENSIONS SHALL BE ALLOWED. IT IS REMOVED UPON THE DEDICATION OF ASSOCIATED PUBLIC STREETS AND/OR UTILITIES OR WITHIN ONE YEAR OF ITS INSTALLATION. REINSTATEMENT OF THE SIGN FOR UP TO ONE ONE-YEAR PERIOD FOLLOWING THE EXPIRATION SHALL REQUIRE AN EXTENSION OF THE SIGN PERMIT.~~

2. IN THE TND, VILLAGE CENTER, AND VILLAGE COMMERCIAL, AND RC DISTRICTS, ONE SIGN ASSOCIATED WITH THE OPENING OF A DEVELOPMENT PROVIDED:
  - A. IT IS NO GREATER THAN THIRTY-TWO (32) SQUARE FEET IN SIZE AND NO GREATER THAN EIGHT (8) FEET IN HEIGHT.
  - B. IT IS REMOVED UPON THE DEDICATION OF ASSOCIATED PUBLIC STREETS AND/OR UTILITIES OR WITHIN ONE YEAR OF ITS INSTALLATION. REINSTATEMENT OF THE SIGN FOR UP TO ONE (1) ONE-YEAR PERIOD FOLLOWING THE EXPIRATION SHALL REQUIRE AN EXTENSION OF THE SIGN PERMIT.

## **§ 6.5.7 6 Sign Standards Specific to All Districts, Except TND AND RC**

### **A. Freestanding Sign**

1. One (1) freestanding sign is permitted per site. An approved Sign Program may provide for an additional freestanding sign when a lot exceeds five acres in size or has two (2) public street frontages.
2. Freestanding signs shall not be located within parking lots. The area of freestanding signs shall not exceed thirty (30) square feet. The base of the freestanding sign shall be ~~solid and designed as an architecturally integrated element of the sign~~ **PERMANENTLY ATTACHED TO THE GROUND.**
3. The base of all freestanding signs shall be set back a minimum of ~~ten~~ **EIGHT (8)** feet from any property line. No part of a freestanding sign shall be located within or overhang into a public or private right-of-way, sidewalk, or adjoining property.
4. **FREESTANDING SIGNS SHALL NOT EXCEED A MAXIMUM HEIGHT OF SIX (6) FEET.**

### **B. ~~Attached to Building~~ PROJECTING SIGNS**

Signs attached to a building shall not project more than thirty-eight (38) inches from the face of the building and shall have a minimum clearance of eight (8) feet above the ground/sidewalk.

**C. Window Signs**

~~Window displays and signs.~~ Signs erected or suspended in the interior of a structure to be viewed from the outside provided the following conditions are adhered to:

1. No more than ~~50~~ twenty-five (25) percent of the window area is covered in signage.
2. The area of window signage shall be included in the count of maximum allowable sign area and sign number for the site.

**D. ~~Maximum Height~~ WALL/FLAT MOUNTED SIGNS**

1. Wall mounted signs shall be no higher than the second-floor windowsill on a building.
2. ~~Freestanding signs shall not exceed a maximum height of six feet.~~ **MOVED NO SINGLE WALL MOUNTED SIGN SHALL EXCEED THIRTY (30) SQUARE FEET IN AREA.**
3. **NOTWITHSTANDING THE ABOVE STANDARD, IN NO DISTRICT SHALL ONE (1) WALL MOUNTED SIGN EXCEED SEVEN (7) PERCENT OF THE TOTAL AREA OF THE FACE OF THE BUILDING WALL INCLUSIVE OF WINDOWS AND DOOR OPENINGS.**

**E. ~~The Maximum Allowable Area~~**

1. ~~The maximum allowable area for all signs on a site shall be computed as 2.0 square feet per linear building frontage up to a maximum allowable area of 170 square feet except as noted below: MOVED~~
  - a. ~~Buildings in excess of 100 feet in length may be permitted an additional 1.0 square foot of sign area for each linear foot of building frontage above 100 feet. MOVED~~
  - b. ~~Each additional building frontage facing a street or parking area may have up to 0.5 square foot of sign area per linear foot of road frontage but such additional sign area may only be used on that side of the building frontage. MOVED~~

**FE. ~~Special Standards by Sign Type~~ MARQUEE SIGNS**

1. ~~The area of wall mounted signs shall be limited as follows:~~
  - a. ~~No single wall mounted signs shall exceed 30 square feet in area. MOVED~~
  - b. ~~Notwithstanding the above standard, in no district shall one wall mounted sign exceed seven percent of the total area of the face of the building wall inclusive of windows and door openings. MOVED~~

21. One (1) marquee sign is permitted provided the sign area for the site does not exceed the maximum allowable sign area in that district.

**GF. A-FRAME SIGNS (PLACARD, EASEL-TYPE, SANDWICH-BOARD)**

1. WITHIN THE GENERAL COMMERCIAL, MARINE COMMERCIAL, VILLAGE COMMERCIAL, AND VILLAGE CENTER DISTRICTS, ~~ONE (1) TWO (2) A-FRAME SIGNS PLACARD, EASEL-TYPE, SANDWICH-BOARD OR A-FRAME TYPE SIGN IS~~ ARE PERMITTED IN PUBLIC RIGHT-OF-WAY PER STREET FRONTAGE BUSINESS PROVIDED THE FOLLOWING CONDITIONS ARE MET:
  - A. THE SIGN SHALL NOT EXCEED SIX (6) SQUARE FEET IF ONE-SIDED, TWELVE (12) SQUARE FEET IF DOUBLE-SIDED), ~~OR AND 4.5~~ FOUR (4) FEET IN TOTAL HEIGHT. ~~AND TWO (2) FEET IN WIDTH.~~
  - B. THE SIGN SHALL NOT IMPEDE PEDESTRIAN TRAFFIC (MINIMUM OF 36" OF CLEARANCE) OR MOTOR VEHICLE VISIBILITY ~~SHALL BE REMOVED BEFORE NIGHTFALL,~~ AND IF POSTED ALONG A ROAD WITH SPEED LIMITS GREATER THAN 35 MILES PER HOUR, IT SHALL BE PLACED AT LEAST SIXTY (60) FEET FROM THE STREET RIGHT-OF-WAY.
  - C. SIGNS SHALL BE REMOVED ~~BEFORE NIGHTFALL~~ AT CLOSE OF BUSINESS.
  - D. ~~SANDWICH-BOARD~~ A-FRAME SIGNS TO BE LOCATED WITHIN THE HISTORIC DISTRICT ~~TO BE PLACED ON A PUBLIC SIDEWALK~~ SHALL REQUIRE THE ~~ISSUANCE OF A SIGN PERMIT~~ APPROVAL OF THE HISTORIC COMMISSION.
  - E. ADDITIONAL A-FRAME SIGNS ARE PERMITTED TO BE PLACED WITHIN PROPERTY BOUNDRIES, PROVIDED THEY DON'T EXCEED THE MAXIMUM ALLOWABLE SIGNAGE AREA.

**EG. THE MAXIMUM ALLOWABLE AREA**

1. THE MAXIMUM ALLOWABLE AREA FOR ALL SIGNS ON A SITE SHALL BE COMPUTED AS TWO (2) SQUARE FEET PER LINEAR BUILDING FRONTAGE UP TO A MAXIMUM ALLOWABLE AREA OF ONE HUNDRED SEVENTY (170) SQUARE FEET EXCEPT AS NOTED BELOW:
  - A. BUILDINGS IN EXCESS OF ONE HUNDRED (100) FEET IN LENGTH MAY BE PERMITTED AN ADDITIONAL ONE (1) SQUARE FOOT OF SIGN AREA FOR EACH LINEAR FOOT OF BUILDING FRONTAGE ABOVE ONE HUNDRED (100) FEET.

- B. EACH ADDITIONAL BUILDING FRONTAGE FACING A STREET OR PARKING AREA MAY HAVE UP TO 0.5 SQUARE FOOT OF SIGN AREA PER LINEAR FOOT OF ROAD FRONTAGE BUT SUCH ADDITIONAL SIGN AREA MAY ONLY BE USED ON THAT SIDE OF THE BUILDING FRONTAGE.

## § 6.5.67 Sign Standards Specific to the TND AND RC District

Signs permitted in the TND AND RC District shall be limited by the following:

### A. For Public, Open Space, Institutional uses, Public Assembly, and Multiple Family Uses

- 1. One freestanding sign is permitted, per road frontage meeting the following standards.
  - a. Maximum sign area is ~~32~~ TWENTY (20) square feet per sign face.
  - b. Maximum sign height is six (6) feet.
  - c. ~~Maximum~~ MINIMUM distance from any other ~~zoning lot~~ PROPERTY LINE is eight (8) feet
- ~~2.~~ One Wall Mounted Sign is permitted AT A MAXIMUM OF TWENTY (20) SQUARE FEET. ~~with maximum letter height of 30 inches.~~
- ~~3.~~ No sign shall project into or over a public right-of-way.

### B. Subdivision or Community Entrance Signs

- 1. One sign not exceeding ~~12~~ TWENTY-FOUR (24) square feet may be located at each street entrance.
- 2. The maximum sign height allowed for Subdivision or Community Entrance is six (6) feet.

### C. Home Occupations, Home Day Care, Bed and Breakfast Uses

- 1. One freestanding sign per lot is permitted, PER ROAD FRONTAGE MEETING THE FOLLOWING CRITERIA.
  - a. Maximum sign area shall be four (4) square feet.
  - b. Maximum freestanding sign height shall be four (4) feet.
  - c. Maximum distance from a property line lot shall be ~~ten (10)~~ EIGHT (8) feet.

2. One wall-mounted plaque or nameplate sign is permitted provided it does not exceed two square feet in size and is made to be compatible in appearance with the building.

## **§ 6.5.8 Sign Standards Specific to Historic District**

### **A. Historic District Commission to Approve**

In addition to the requirements of the underlying zoning district, within the Historic District the following specific limitation on signs shall apply:

1. A ~~certificate~~ **PERMIT** of Approval from the Historic District Commission is required for all new signs and existing signs that are to be altered in size, shape, and location.
2. Applicants for sign permits in the Historic District should refer to the Historic District Commission's design guidelines for signs.

### **B. Compliance upon Addition to Historic District**

Upon the inclusion of additional areas within the Historic District, all signs shall comply with this section within two years from the date the area is included within the Historic District.

## **§ 6.5.9 Non-Conforming Signs**

### **A. Zoning Administrator to Enforce**

The Zoning Administrator shall order the removal of any sign erected or maintained in violation of the law as it existed prior to the date of the adoption of this Zoning Code. Such a sign does not qualify as a non-conforming sign.

### **B. Non-Conforming May Continue**

Signs existing at the time of the adoption of this Section and not conforming to its provisions, but which did conform to previous laws, shall be regarded as non-conforming signs and these may be continued if properly maintained and repaired as provided in this Section except as provided below.

1. The structure, sign face, or accessories of a non-conforming sign shall not be altered, modified, changed, reconstructed, or moved without bringing the sign in all respects into compliance with this Section, provided, however, that nothing herein shall prohibit the normal maintenance or repair of any non-conforming sign.

2. Under this Section, a sign is inseparable from and intrinsically a part of the land use and activity of the property on which it is located. Therefore, no site plan for any property shall be approved unless it provides that all existing non-conforming signs and new signs are made to conform to the provisions of this Section.

## **§ 6.5.10 Administrative Adjustment of Sign Regulations**

### **A. Adjustments**

The Zoning Administrator may, upon application, administratively adjust the limitations for signs in the specific instances according to the procedures of §2.2.4 of this Ordinance. An adjustment of up to ten percent (10%) to the limitations set forth in this Section with respect to the following dimension criteria is allowed: allowable sign area, height, and distance of permitted projection, setback of sign and/or, distance from other ~~zoning lots~~ **PROPERTIES**.

### **B. Findings**

The Zoning Administrator may only approve an administrative adjustment upon establishing the following findings:

1. The adjustment is needed to resolve a practical difficulty unique to the property.
2. The adjustment is the smallest necessary to grant relief of the practical difficulty.
3. The adjustment shall in all other manners comply with the purposes and requirements of this Section.

## **§ 6.5.11 Violations**

### **A. Unlawful signs**

Any sign placed in public view for which no Sign Permit has been issued, and that is not otherwise exempted from the permit requirement of this Section, is unlawful. No person shall install, place, or maintain an unlawful sign and no person shall allow, or permit the installation, placement, or maintenance of an unlawful sign on property owned by the person. The Zoning Administrator shall enforce the provisions of this Section.

### **B. Removal of Unlawful, Temporary or Portable Signs**

1. The Zoning Administrator may ~~remove, or cause~~ **REQUEST REQUIRE** the removal of any unlawful, temporary or portable sign that is constructed, placed, or maintained on ~~publicly owned or~~ private property that is in violation of this Section or other provisions of the Town Code **AND SHALL REMOVE ANY UNLAWFUL, TEMPORARY, OR**

PORTABLE SIGN CONSTRUCTED, PLACED, OR MAINTAINED ON PUBLICLY OWNED PROPERTY.

2. ANY VIOLATION OF SECTION 6.5 SIGNS SHALL CONSTITUTE A MUNICIPAL INFRACTION, SUBJECT TO A FINE OF ONE HUNDRED DOLLARS (\$100) FOR THE FIRST VIOLATION. THE FINE FOR EACH SUBSEQUENT VIOLATION SHALL BE TWO HUNDRED DOLLARS (\$200). EACH DAY SUCH VIOLATION CONTINUES SHALL BE CONSIDERED A SEPARATE OFFENSE.
3. IN ADDITION TO THE IMPOSITION OF FINES, THE TOWN MAY FILE AN ACTION FOR INJUNCTIVE RELIEF IN THE DISTRICT OR CIRCUIT COURT FOR THE REMOVAL OF THE ILLEGAL SIGN, IF SUCH SIGN IS NOT REMOVED BY THE PROPERTY OWNER, THE COSTS OF WHICH SHALL BE REIMBURSED BY THE PROPERTY OWNER TO THE TOWN WITHIN THIRTY (30) DAYS, AND IF SUCH REIMBURSEMENT IS NOT MADE, THE AFOREMENTIONED COSTS SHALL BE COLLECTABLE BY THE TOWN IN THE SAME MANNER AS TAXES UPON THE REAL PROPERTY.
- ~~2. A sign removed by the Zoning Administrator in compliance with subsection B.1 or B.2, shall be stored for a period of 15 days from the date written notice of such storage is given. If not claimed within that time period, the sign may be destroyed. Prior to the release of any stored sign, the owner shall pay a fee of \$150.00, or other amount as the Town Council, by resolution, may authorize, to the Town to defray a portion of the expenses of removing, storing, and handling the unlawful sign.~~
- ~~3. Notice of the storage of a sign to be given in compliance with Subsection B.3 may be given by first class mail or personal delivery to the apparent owner of the sign as ascertained from the sign itself or from other information that has been obtained by the Zoning Administrator.~~
- ~~4. The notice shall briefly describe the sign and what is on its face, and shall state the sign has been stored by the Town and that it will be released to the owner, upon satisfactory proof of ownership and the payment of the fee, during a stated 15 day period.~~
- ~~5. The notice shall state where the owner may obtain the release of the sign and contain such other information as the Administrator deems necessary or helpful.~~
- ~~6. Notice is deemed given on the date the notice, addressed to the apparent owner, with first class postage affixed thereto, is placed in a mail depository of the U.S. Postal Service or personally delivered to the owner or to the owner's office or home. If no apparent owner and/or address of the apparent owner can be ascertained from the sign or other information obtained by the Zoning Administrator, no notice need be given in compliance with this Subsection, but the sign shall be stored for at least 15 days from the date it is placed in storage before it may be destroyed.~~

Zoning District	Sign Types Permitted	# of Signs Permitted	Maximum Signage Area per Sign	Maximum Height	Illumination Permitted	Other Provisions
Traditional Neighborhood Development (TND), Resource Conservation (RC)	<b>Freestanding</b>	*1 per Street Frontage	*20 sq. ft.	*6 ft.	None	*For Public, Open Space, Institutional Uses, Public Assembly, and Multiple Family Uses.
	<b>Freestanding</b>	*1 per Street Frontage	*4 sq. ft.	*4 ft.	None	*For Home Occupations, Home Day Care, Bed and Breakfast Uses.
	<b>Wall Mounted</b>	1	2 sq. ft.		None	*For Home Occupations, Home Day Care, Bed and Breakfast Uses.
	<b>Wall Mounted</b>	1	20 sq. ft.		None	*For Public, Open Space, Institutional Uses, Public Assembly, and Multiple Family Uses. Maximum letter height of 30 inches.
	<b>Subdivision or Community Entrance</b>	1 per Street Entrance	24 sq. ft.	6 ft.	None	

*\*Chart is intended for reference only, the body of text in Section 6.5 takes precedence in any conflict with information in chart.*

Zoning District	Sign Types Permitted	# of Signs Permitted	Maximum Signage Area per Sign	Maximum Height	Illumination Permitted	Other Provisions
General Commercial (GC), Marine Commercial (MC), Village Center (V-1), Village Commercial (V-2)	<b>Freestanding</b>	*1	^2 sq. ft. per linear building frontage	6 ft.	External	* Sign Program may provide for additional signs when lot exceeds 5 acres or has 2 public street frontages. ^Buildings in excess of 100 feet in length may be permitted an additional 1 sq. ft. of sign area for each linear foot of frontage above 100 feet. Additional building frontages facing a street or parking area may have up to 0.5 sq. ft. of sign area per linear foot of road frontage, but such sign area may only be used on that side of the building. 1. Minimum 8 ft. setback from any property line. No part of sign shall be located within or overhang onto a public or private right-of-way, sidewalk, or adjoining property.
	<b>Projecting</b>	Limited by Signage Area	^2 sq. ft. per linear building frontage		External	^Buildings in excess of 100 feet in length may be permitted an additional 1 sq. ft. of sign area for each linear foot of frontage above 100 feet. Additional building frontages facing a street or parking area may have up to 0.5 sq. ft. of sign area per linear foot of road frontage, but such sign area may only be used on that side of the building. 1. Shall project no more than 38 inches from the face of the building and shall have a minimum clearance of 8 ft above the ground/sidewalk.
	<b>Window</b>	Limited by Signage Area	No more than 25% of the window area may be covered.		External	1. The area of window signs shall be included in the count of maximum allowable sign area and sign number for the site.
	<b>Wall/Flat</b>	Limited by Signage Area	30 sq. ft.	*	External	*Shall be no higher than the second floor window sill on a building. 1. No wall mounted sign shall exceed 7% of the total area of the face of the building wall inclusive of windows and door openings.
	<b>A-Frame</b>	2 per Street Frontage	6 sq. ft. per side	4 ft.	None	1. Sign shall not impede pedestrian traffic or motor vehicle visibility, shall be removed each night, and if posted along a road with speed limits greater than 35 mph, it shall have a set back of 60 ft.
	<b>Marquee</b>	*1			External	*Provided the sign does not exceed the maximum allowable sign area in that district.

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*\*All signs located in the Historic District must obtain a Certificate of Approval from the Historic District Commission.*