



TOWN OF NEW LONDON, NEW HAMPSHIRE

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SIGN PROVISIONS DRAFT ZONING AMENDMENT LANGUAGE For Planning Board January 3, 2017 Discussion

Rationale: The Planning Board proposes to include provisions for content neutral signs per the US Supreme Court decision Reed vs. Town of Gilbert, and to clarify and make the ordinance more user friendly.

Purpose

Signs perform various functions including being essential for public safety and the general welfare of residents and visitors to the Town, providing information on goods and services, and orienting and directing people and commerce in the Town. Signs also have the potential to have detrimental impacts on the community. Therefore the purposes of these sign regulations is to:

1. Prevent hazards to vehicular and pedestrians traffic safety by controlling the number, location and placement of signs;
2. To facilitate efficient and effective communication with the use of content neutral regulations;
3. To support economic development and community vitality by informing the community of available goods, services and activities;
4. To enhance community character by mitigating the visual affects signage has on the community.

Definition of Sign

Sign Definition: Any combination of letters, numerals, lines, symbols, shapes or designs, in any medium, on any surface, intended to convey the identity of, or information about, any person, place, thing, product or service.

General Provisions:

- a) A Sign Permit Application is required to alter, erect or relocate a Sign. Changing the message on the sign does not require a sign permit application. The Board of Selectmen/Town shall act to approve or deny a sign permit application. The Town may solicit input from the Police Chief, Fire Chief, Director of Public Works or any other Town staff as deemed necessary.
- b) All Signs or lighting of Signs shall not be placed in such a position as to endanger traffic on a Street or pedestrians on a sidewalk by interfering with motorist's vision by obscuring a clear view or with official Street signs or signals, and must be placed a minimum of six (6) feet from the edge of the pavement or travel surface. All signs shall be at an adequate height so as not to be interfering with pedestrian, vehicular traffic, or snow removal.

- c) Property/Sign owners shall maintain their Signs in good condition and repair at all times.
- d) The owner shall remove any signs located on a site within ninety (90) calendar days of when said Use has been discontinued.
- e) Only one (1) temporary on-site sign is permitted on the property at any given time. All temporary signs shall be placed at least ten (10) feet from the abutting property line. No temporary sign shall be larger than four (4) square feet. Temporary signs shall not be illuminated. Temporary signs may include sandwich board type signs. A temporary sign may be posted without a permit for a special sale or special event, seven (7) calendar days before the event (the date of the event shall be noted on the sign), and shall be removed immediately following the event. The use of any temporary signs is intended to be displayed for a short-term and defined time period. If the Town receives written complaints regarding the prevalence of temporary signs on any site, the Board of Selectmen may require any future temporary signs be presented for their approval.
- f) One (1) Tree-mounted Sign is permitted per site during the winter period (November 1-May 1).
- g) The size of a Sign shall be computed based on overall dimensions, including moldings, trim, decorations, etc., but excluding posts, brackets, or other installation devices.
- h) The maximum height permitted for a free standing sign is twelve (12) feet off the ground.
- i) Any sign to be located on Town property shall be approved by the Board of Selectmen.

Sign Permit Process

1. This Sign Permit Application needs to be completed and submitted to the Board of Selectmen's Office for approval prior to altering, erecting or relocating a Sign. Changing the message on the sign does not require a sign permit application.
2. Institutional Districts: Institutional District, Institutional/Recreational District and the Hospital Institutional District: All Sign permit applications for these districts shall be reviewed by the Planning Board without formal Site Plan Review; however notice will be given to any abutter within 200 feet of where said sign will be placed, said notice shall be given via certified mail ten (10) calendar days prior to when the sign application is listed as a specific Planning Board agenda item. The Planning Board agenda serves as a notice to the general public. Signs internal to the campus of these institutions which are not visible to the abutters via walking or driving by the sign from a public roadway, not a roadway internal to the said land shall not need Planning Board approval. Any sign application presented to the Planning Board shall be reviewed based on the potential visual impact to abutters, and the Planning Board shall determine if the number of signs, size, location and use is appropriate as presented.
3. Signs Lit Internally shall be reviewed and approved by the Planning Board as a Conditional Use Permit. (This does not apply to signs for emergency situations or emergency facility, or as permitted by the State).

Signs Not Requiring A Permit

- a) A Residential Use located in any zoning district is permitted a maximum of four (4) square feet of signage which may be one (for example 4 x 1) or two (for example 2 x 1 and 2 x1) signs.
- b) Any permanent sign of a Residential property or Business identifying the name of the owner, occupant, or Tree Farm with a maximum combined size of 4 square feet.
- c) Flags not containing commercial advertising may be displayed on private property, but shall not exceed fifteen (15) square feet, and shall be attached to the structure.
- d) Interior Window Signs which do not have the name or logo of the business on the premise and which are temporary signs advertising products or services.
- e) Signs regulating or defining access to private property which are under two (2) square feet in size. This includes, for example, Signs such as those indicating whether or not someone could trespass, hunt, hike or snowmobile on private property.
- f) Signs warning of hazards or other emergency operations signs.
- g) Traffic and pedestrian control and safety Signs. No logo material or advertising of the business or occupant on the premises, the Signs must be on-site and the Signs would be limited to a maximum of 3 square feet in size.
- h) Temporary Off-site and directional Signs not on the premises are permitted for one (1) day only, the day of the event, and shall not exceed four (4) square feet.

Prohibited Signs

- a) Banner across any travel way.
- b) Neon, tubular and flashing electric signs for display outside the building.
- c) Roof sign, signs extending above the deck line of a mansard roof or above the eave of a hip, gable, gambrel or other pitched roof Building.
- d) Signs on a trailer located for the purpose to advertise the business on site.
- e) Signs that move, such as LED screen or digital display signs (where the message is changing).
- f) Signs attached to any type of utility pole.

Signs and Number of Permanent Signs By Zone District

- a) Signs naming residential developments/neighborhoods: One on-site Sign, with the size regulated by the underlying Zone District, which must be located on the common land or on private property and not in the road Right-of-Way.
- b) In the Commercial District an individual commercial business occupying a single premise shall be permitted two advertising Signs and no more than one of the two permitted Signs shall be a free standing Sign. The maximum size of any one Sign shall be 15 square feet.

- c) In the Commercial District when two or more commercial businesses occupy a single premise, each Commercial Use is permitted a total of two Signs. No more than one free standing Sign encompassing all of the commercial businesses on the single premise shall be permitted, no larger than 25 square feet in size. If a business shares a free standing Sign, then it is permitted one additional Building mounted Sign with a maximum size of 15 square feet. If the business does not use a free standing Sign, then it is permitted two Building mounted Signs with a maximum size of 15 square feet each.

Other sections of the Zoning Ordinance which pertain to signs which will be amended.

- Article III, Definitions delete the definition #132 Riders.
- Article II, General Provisions, # 14 Temporary Ancillary Sales, pages 12-14, specifically 14, b (4), c (3), d (6), e (6), f (4);
- Article II, General Provisions # 15 Home Occupation/Home Business, pages 14-17, delete Home Occupation provisions 1(b) – No on-premise Sign advertising the business and Home Business provisions 2 (b) – The number, type and size of Signs advertising the business shall be in conformance with the Sign regulations specified in Article II, Section 10.
- Article V, Residential District, A (7), page 37 delete (A) 7- Signs in Residential Districts shall conform to the provisions in Article II, Section 10.

No changes proposed to these sections.

- Article XIII, Wetlands Conservation Overlay District, (F, 2) page 51 remain
- Article XXI, Board of Adjustment, (2, h), page 86 remain
- Article XXIII, Telecommunication Facilities Ordinance, #6 page 102 remain
- Article XXV, Small Wind Energy Systems, (e), page 108 remain
- Article XXVII, Enforcement (3, a) page 117 remain