

ARTICLE 8

SIGN REGULATIONS

1. Intent and Purpose: It is the intent and purpose of these sign regulations to qualify, supplement or define the allowable uses of functional and structural signs allowed in the City of Lyndon.
2. Applicability: any sign shall, by definition, be a structure. No land, personal property or structure shall be used for sign purposes except as specified herein.
3. Nonconforming Signs: All signs legally existing at the time of passage of these regulations may remain in use under the conditions of legal nonconformance. Signs in legal nonconformance shall not be enlarged, moved, lighted, or reconditioned; however, the change of the advertising display shall not be restricted except as previously stated.
4. Removal of Nonconforming Signs: All nonconforming signs not otherwise prohibited by the provisions of these regulations shall be removed or shall be altered to conform to the provisions of this regulation when:
 - (1) the nature of the business conducted on the premises changes and the sign is changed or modified either in shape, size, or legend;
 - (2) the name of the business changes and the sign is changed or modified either in shape, size, or legend;
 - (3) a principal structure is destroyed or removed due to natural or man-made circumstances, unless a building permit has been issued to replace the structure within 90 days;
 - (4) the sign is damaged by any means to an extent of more than 50 percent of its replacement cost at the time of damage; or
 - (5) the building or use to which the sign applies is vacated, abandoned or otherwise dormant for a period of more than twelve (12) months.

All nonconforming signs required to be removed by these regulations shall be removed within 90 days of notification by the Zoning Administrator.
5. Permit Required: No sign except temporary real estate or construction signs as defined in this article may be erected or altered until a sign permit has been issued by the Zoning Administrator.
 - A. Application for permits required under this Article shall be made on forms provided by the Zoning Administrator and accompanied by the following, if required by the Zoning Administrator or if required by the provisions hereof:

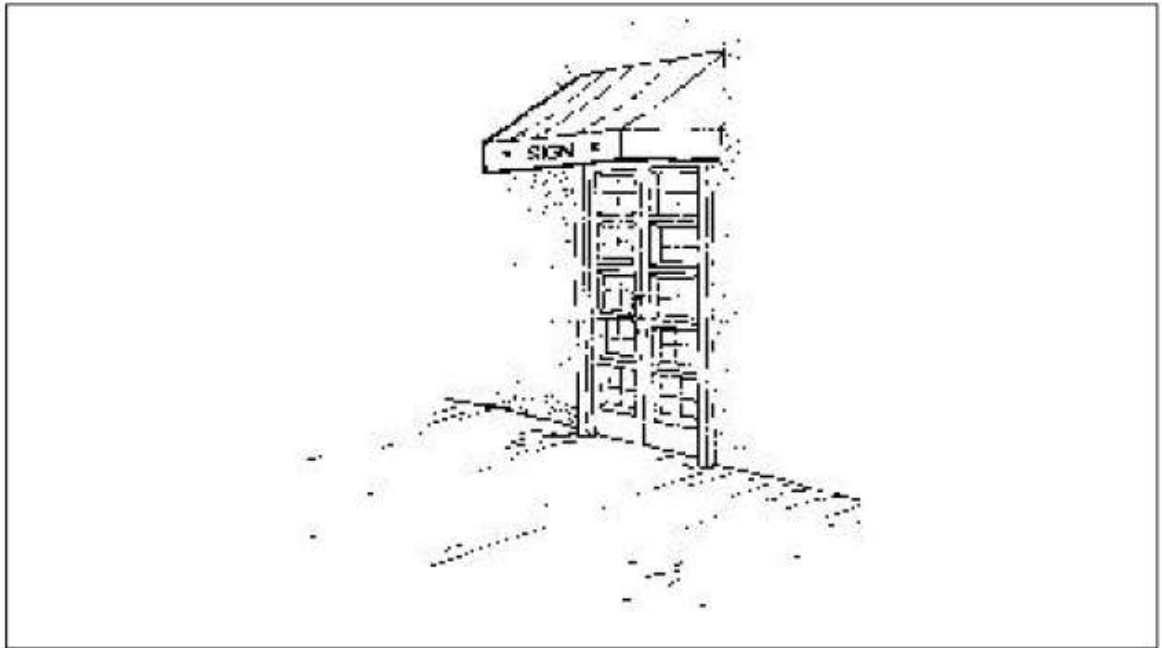
1. Plans and specifications of the proposed sign; the right to inspect all permanent signs and marquees prior to their installation and erection and prior to the issuance of a permit.
 2. A certificate of Accident Public Liability Insurance issued to the person or firm installing or erecting a sign or marquee over public property and providing coverage of \$50,000 per person, \$100,000 per accident and \$25,000 property damage.
- B. Permit Fees: Every application before being granted a permit hereunder, shall pay to the City Clerk the following permit fee for each such sign or other advertising structure regulated by this article:
1. Fees are to be set by the governing body.
- C. Inspection: As soon as a sign has been erected, the permittee shall notify the Zoning Administrator who shall inspect such sign and approve the same if it is in compliance with the provisions of this article. The Zoning Administrator may, from time to time, as he/she deems necessary, inspect all signs or other advertising structure regulated by this article for the purpose of ascertaining whether the same is secure or insecure or whether it is in need of removal or repair.
- D. Permit Revocable at Any Time: All rights and privileges acquired under the provisions of this article or any amendment thereto, are mere licenses revocable at any time by the Zoning Administrator; and all such permits shall contain this provision.
6. Review and Action: The Zoning Administrator shall review the Sign Permit application in detail for the purpose of determining whether the proposed sign complies with all the applicable sign regulations of this Article, if applicable. Within 15 days of the submission of a complete application for a Sign Permit, the Zoning Administrator shall either:
- A. Issue the Sign Permit, if the sign complies in every respect with the standards of this Article, if applicable; or
 - B. Deny the Sign Permit if the sign fails in any way to comply with the standards of this Article. The Zoning Administrator shall specify all reasons for the denial.
7. Classification of Signs:
- A. Functional Types:
1. Advertising Signs: (Billboards) A sign which directs the attention of the public to any goods, merchandise, property, business, service, entertainment or amusement conducted or produced which is bought or sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located or to which it is affixed.

2. Bulletin Board Sign: A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcement of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.
3. Business Sign: A sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.
4. Identification Sign: A sign giving only the name and address of a structure, business, development or establishment. Such signs may be wholly or partly devoted to a readily-recognized symbol.
5. Name Plate Sign: A sign giving the name and/or address of the owner or occupant of a structure or premises on which it is located and, where applicable, a professional status.
6. Memorial Sign: a sign, monument or statue serving to help people remember some person or event.
7. Temporary Sign: A display sign as listed below that is limited in time that such sign may remain in use either by the limitations of these regulations or the conditions of a sign permit.
 - a. Real Estate Sign: A temporary sign pertaining to the sale or lease of a lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof on which the sign is located.
 - b. Construction Sign: A temporary sign indicating the names of the architects, engineers, landscape architects, contractors and similar artisans involved in the design and construction of a structure, complex or project only during the construction period and only on the premises on which the construction is taking place.
 - c. Political Campaign Sign: Any sign relating to a candidate, political party, ballot issue, or other issue to be voted upon in any public election.

B. Structural Types:

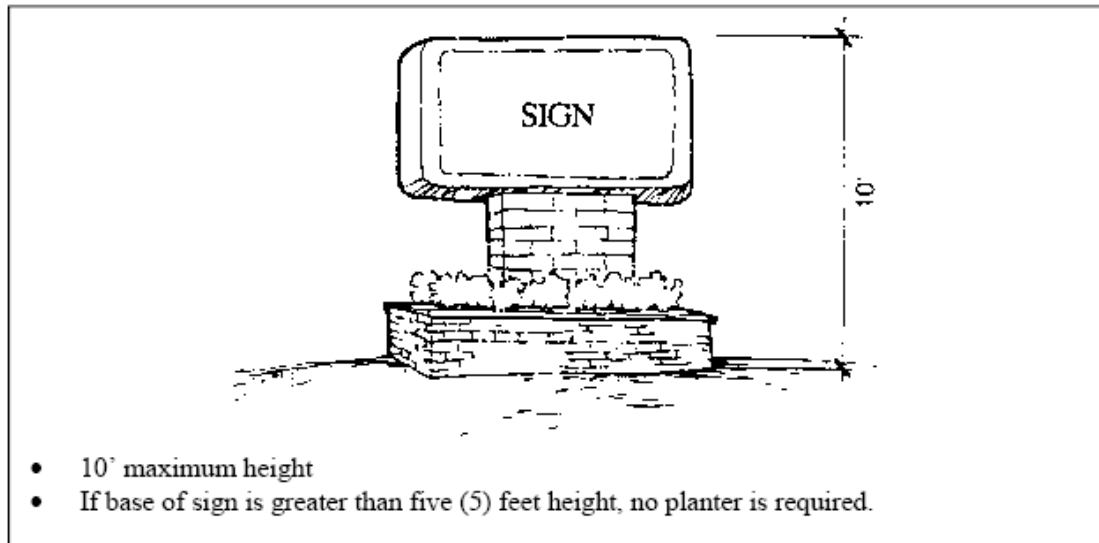
1. Awning, Canopy or Marquee Sign: A sign that is mounted on, painted on, or attached to, an awning, canopy or marquee. No such signs shall project above, below or beyond the awning, canopy or marquee.

Canopy Sign



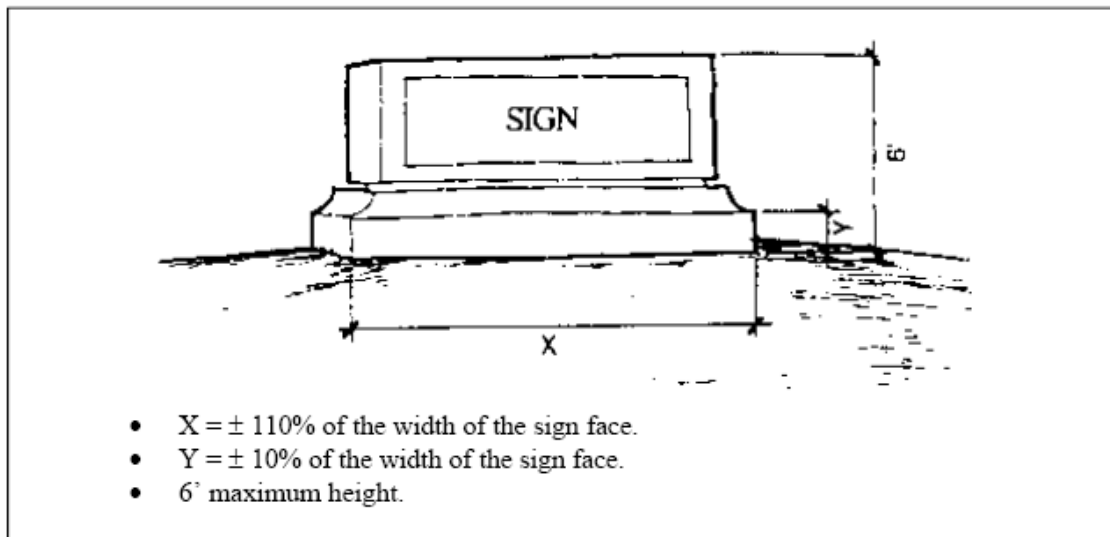
2. Ground Sign: Any sign placed upon, or supported by, the ground independent of the principal structure on the property, where the bottom edge of the sign is less than six feet above the ground, the height is no greater than 10 feet, and the base is no less than 50 percent of the width of the face of the sign, presenting a monolithic structure, landscaped with appropriate ground cover.

Ground Sign



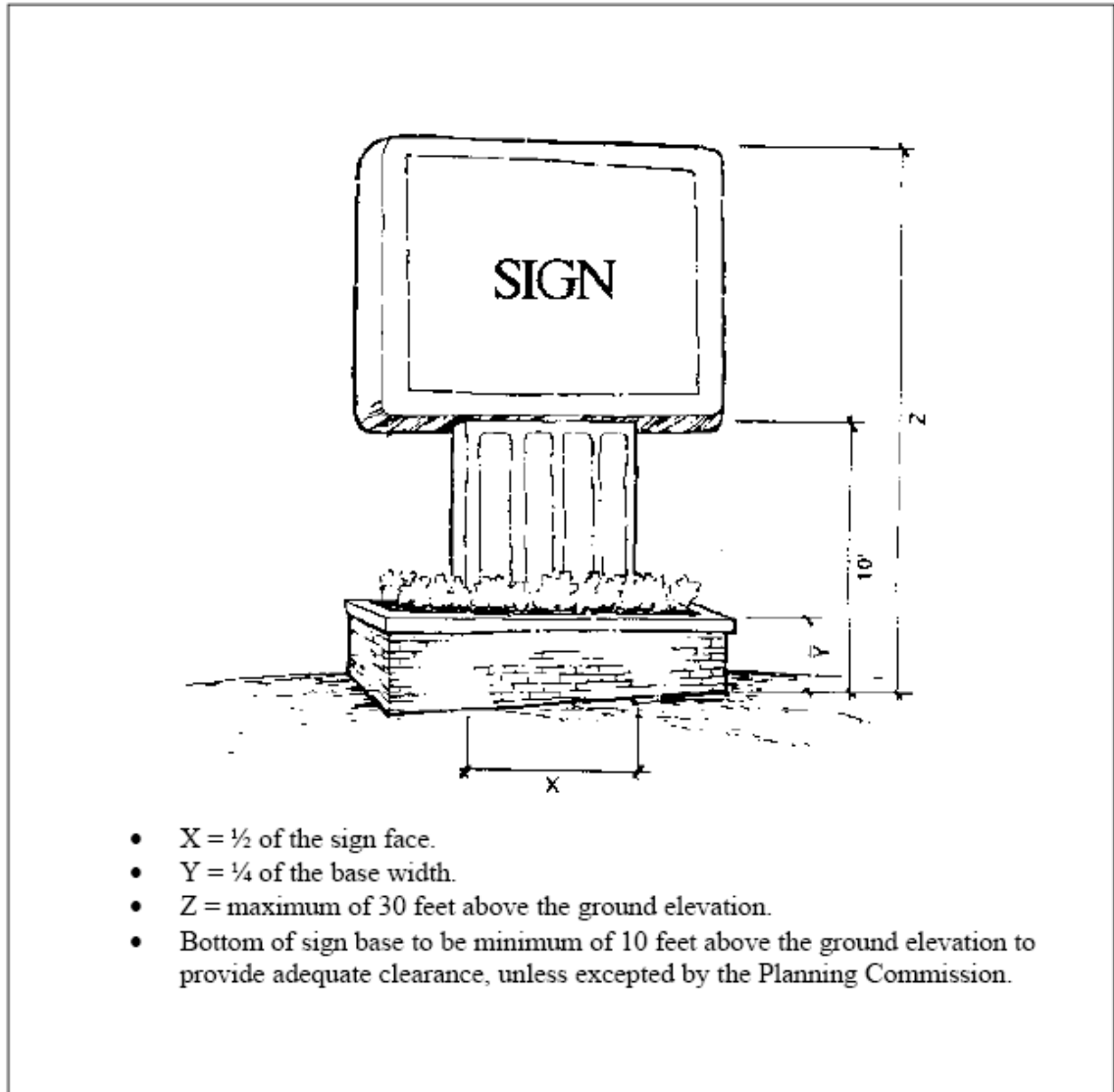
3. Monument Sign: Any sign whose base is greater in width than the face of the sign, and whose height is no greater than 6 feet.

Monument Sign



4. Elevated Sign: Any sign placed upon, or supported by, the ground independent of the principal structure on the property where the bottom edge of the sign is ten feet or more above the ground level, and the base is no less than 50 percent of the width of the face of the sign, landscaped with appropriate ground cover.

Elevated Sign



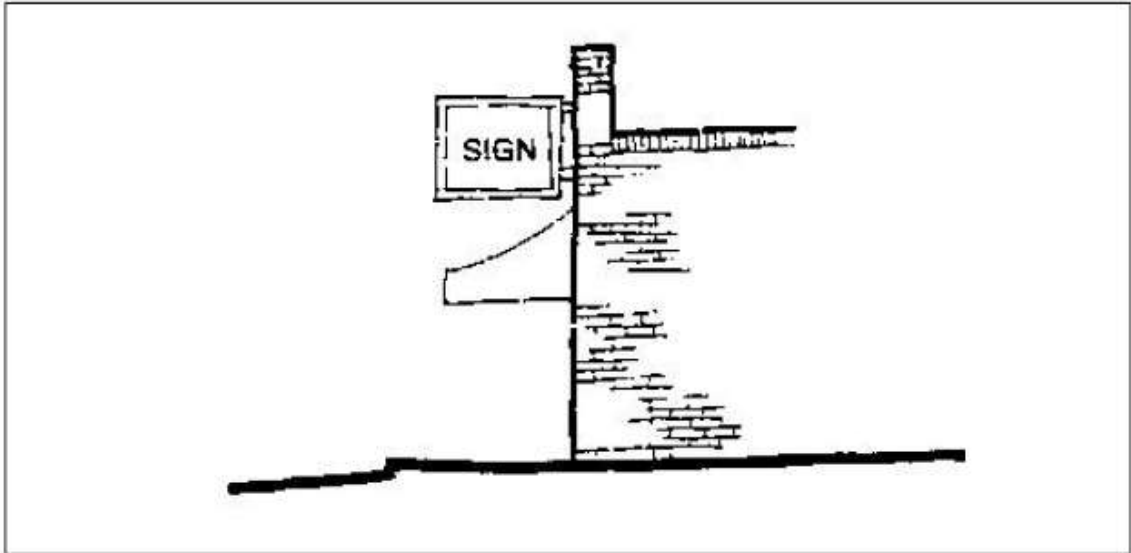
5. Portable Display Sign: Any movable display structure, capable of relocation, under its own power, or towed by a motor vehicle. The display message of the sign may be painted or on-painted and capable of being readily altered. Portable display signs may be with or without electrical illumination and power, and with or without wheels.

Portable Display Sign



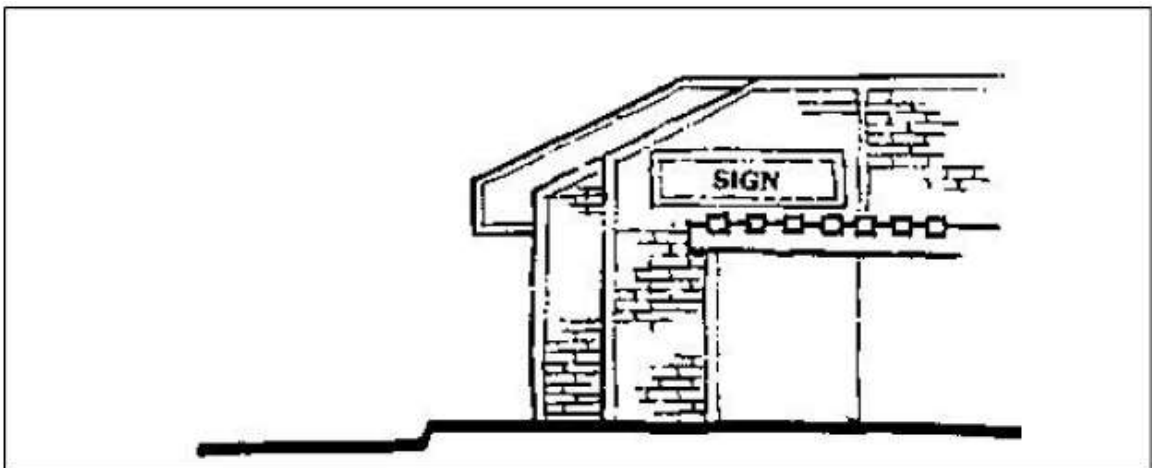
6. Projecting Sign: A sign that is wholly or partly dependent upon a structure for support and which projects more than 12 inches from such structure.

Projecting Sign



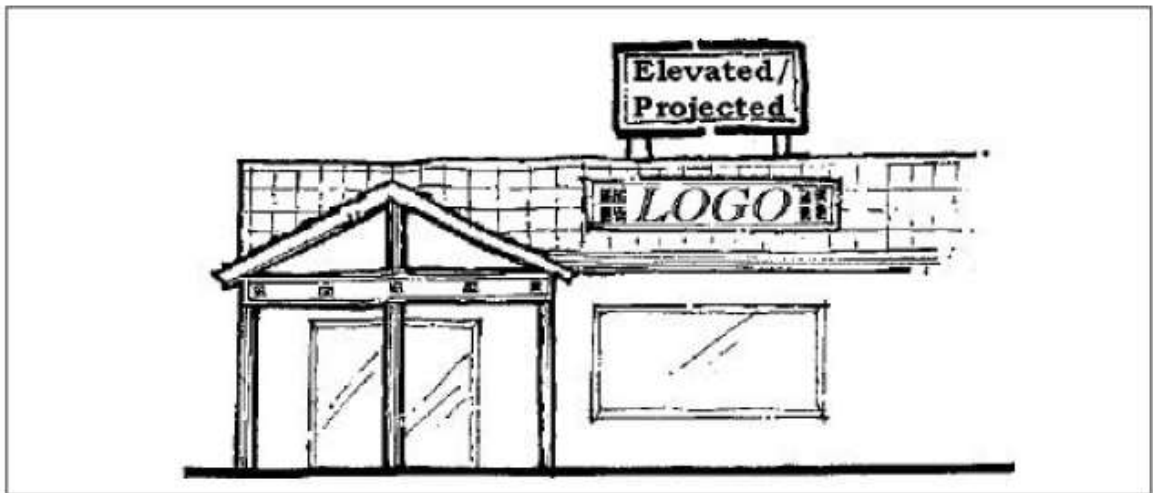
7. Wall Sign: A sign fastened to or painted on a wall of a structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than 12 inches from such structure.

Wall Sign



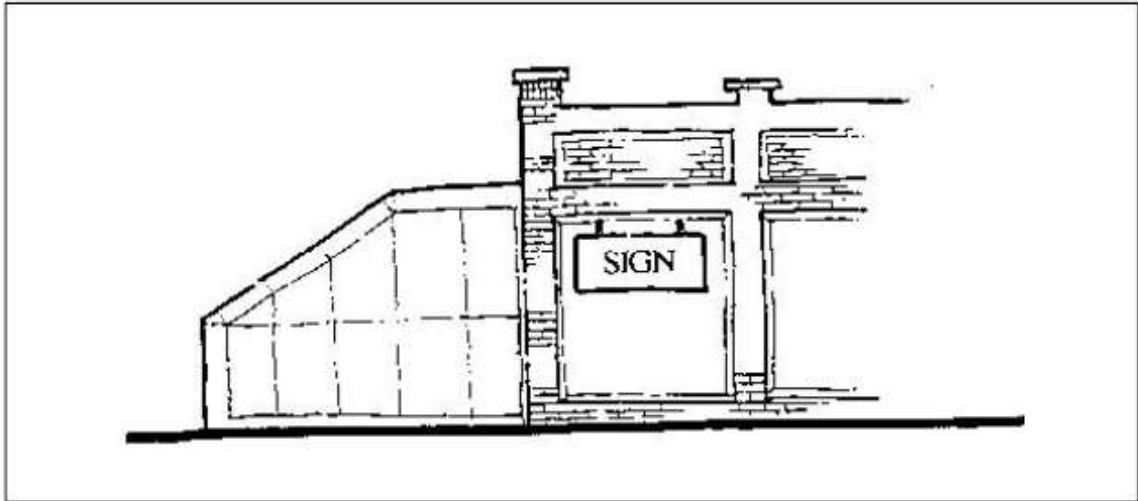
8. Flush-Mounted Logo Roof Sign: A sign totally supported on the roof of a structure that displays the logo of the tenant of such structure. Flush-mounted logo roof signs shall be mounted parallel to and flush with the roof's surface. In no case shall a flush-mounted logo roof sign project above the highest point of the roof (compare to "elevated/projecting roof sign").
9. Elevated/Projecting Roof Sign: A sign totally supported on the roof of a structure, not including flush-mounted logo roof signs. Elevated/projecting roof signs shall not project more than 12 inches beyond the face of the structure. In no case shall an elevated/projecting roof sign project more than 10 feet beyond the highest point of the portion of the roof on which the sign is located (compare to "flush-mounted logo roof sign").

Roof Signs



10. Window Sign: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Window Sign



8. General Standards:

- A. **Gross Area of Sign:** Gross area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign, exclusive of the base on which it is mounted or from which it is suspended. If more than one side of a sign is utilized as a sign, then only the largest side shall be computed and shall be counted as a portion of the gross area. On lots where more than one sign is located, the total gross area of all the signs shall not exceed the maximum gross area for one sign permitted by this regulation.

For computing the gross area of any wall sign which consist of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters.

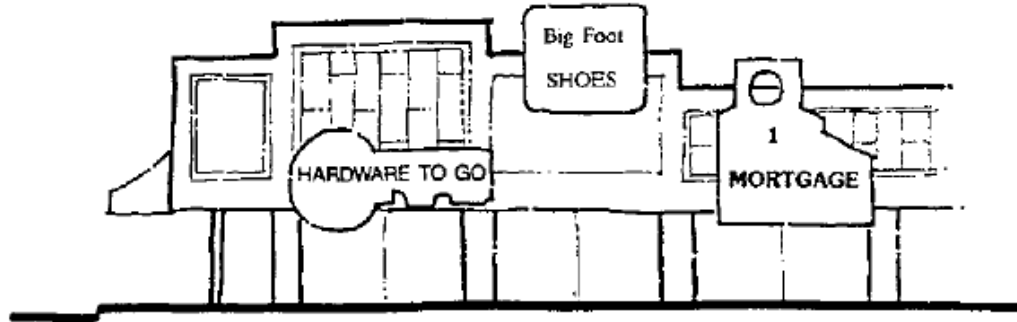
- B. **Sign Height:** Sign height shall be measured from the ground elevation at the base of the sign to the highest element of the sign.
- C. **Illuminated Signs:** A sign designed to give forth artificial light or designed to reflect light derived from any source.
1. Illuminated signs shall be designed as to reflect or direct light away from any residential dwelling district and any illuminated sign located on a lot adjacent to, in front of or across the street from any residential district, which sign is visible from such residential district, shall not be illuminated between the hours of 11 p.m. to 7 a.m.

2. Illuminated signs in direct vision of a traffic signal shall not be in red, amber or green illumination.
- D. Flashing or Moving Signs: For the purpose of this regulation, any sign that is revolving, rotating, moving, animated, has moving lights or creates the illusion of movement shall be considered a moving sign. Any illuminated sign on which the artificial light is not constant in intensity and color at all times is considered a flashing sign.
1. Flashing signs shall not be permitted which are in any way similar to traffic signals or emergency vehicle lights.
 2. A sign which displays the current time and/or temperature by use of intermittent lighting shall not be deemed a flashing sign if the lighting changes are limited to text indicating time, temperature or other public messages. Such sign shall not in any case exceed 32 square feet in area.
- E. Accessway or Window: No sign shall block any required accessway or window.
- F. Signs on Trees or Utility Poles: No sign shall be attached to any tree or utility pole, including light poles.
- G. Traffic Safety:
1. No sign shall be maintained at any location where by reason of its position, size, shape or color, may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic or railroad control sign, signal or device, or where it may interfere with, mislead, or confuse traffic.
 2. Any sign located within three (3) feet of a driveway, alley, or within a parking area shall have its lowest elevation at least ten (10) feet above the curb level; however, in no event shall any sign be placed so as to project over any public right-of-way, except in the "C-1, Central Commercial District, where signs may project over a sidewalk.
 3. Signs placed in the site triangle shall not materially impede vision per requirements listed in the vision triangle definitions. (See Article 3)
- H. Lineal Street Frontage: In those districts where gross sign area is allocated based on lineal street frontage and the tract or parcel is adjacent to more than on one street, the lineal street frontage shall be the distance of that property line abutting a major street, or ½ of the sum of all the street frontages if the property does not abut a major street.
- I. Landscaping: Ground signs, monument signs and elevated signs shall be landscaped in order to make the signage a more integral element of the overall site design. The landscaping shall be within a defined planting area and shall extend no less than three feet from the base of the sign. In general, a combination of ornamental deciduous trees, evergreen trees, shrubbery, ground cover, perennials and bulbs covering 25% of the area

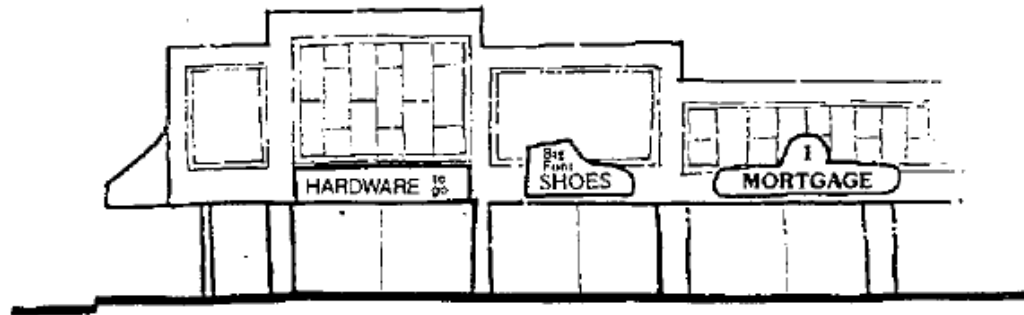
surrounding the sign base is appropriate. This material is intended to accent the signage, minimize its impact on surround development and separate the sign from traffic and parking.

- J. Scale and Context: Signs shall be in scale with the site or structure where located and in context with the site, structure and service offered. (See illustrations on pages 13 & 14)
 - 1. Scale includes both human scale and proportion. Signs shall be proportional to the element they are attached to and the façade as a whole.
 - 2. Context includes form, style, color, balance and structure lines:
 - a. Form: Sign shape and its relationship to the structure or service offered.
 - b. Style: Historical, eclectic, modern or contemporary shapes, texts and colors.
 - c. Color: Analogous or complementary in relation to site or structure.
 - d. Balance: Location of sign in structure element relating to balance through location, mass and color.
 - e. Structure Lines: Major lines of building elements and compatibility to outlines horizontal and vertical lines such as roof line, ground line, window lines, etc.
- K. All signs must be constructed of permanent all-weather materials.

Sign Pattern

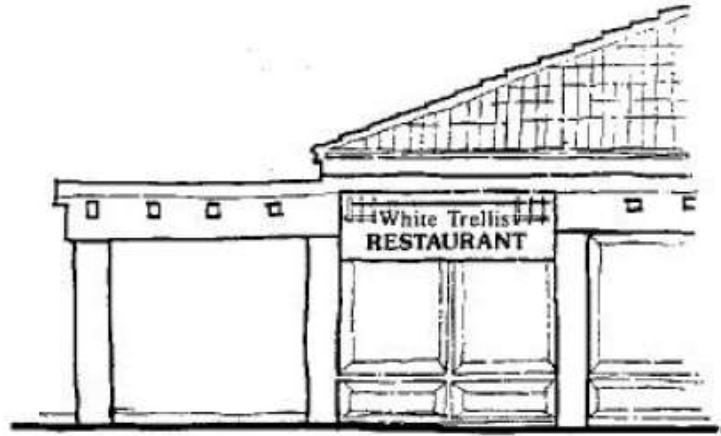


- Inconsistent sign patterns create confusion.

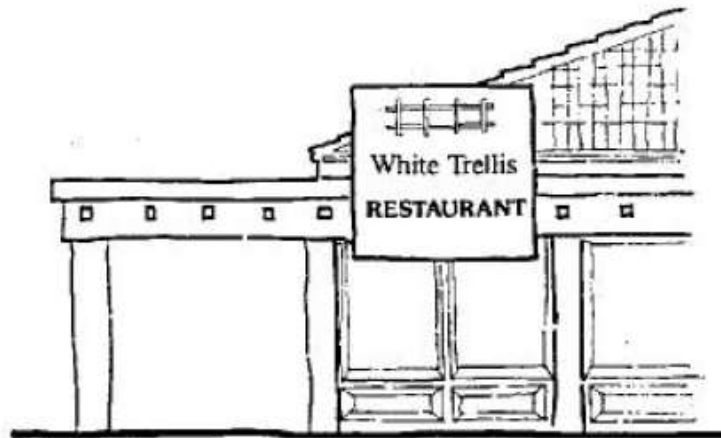


- Employ a consistent sign pattern.

Sign Scale and Character



Sign is in scale and character with building articulation.



Sign is out of scale and character with building articulation.

9. Exemptions:

A. Total Exemptions: The following signs shall be exempt from the requirements of this article, except for the provisions of Sections 8A through 8K above:

1. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organization, displayed on private property.

2. Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossings and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
3. Memorial signs and tables displayed on public or private property.
4. Small signs, not exceeding three square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and other similar signs; except that such signs shall not display logos or other business advertisements.
5. Scoreboards in athletic stadiums.
6. "Political Election Signs", not exceeding a total of thirty-two (32) square feet in area on a lot of record zoned for non-residential purposes, or which is vacant and unplatted, regardless of the zoning district classification; and not exceeding a total of sixteen (16) square feet on a lot of record in a residential zone district. Political signs shall be displayed for no more than a 60-day period before during and after a public election. Political signs shall not be placed on or otherwise affixed to any public structure or sign, right-of-way, sidewalk, utility pole, street lamp post, tree or other vegetative matter, or any public park or other public property.

The City recognizes that the expression of political speech is an important and constitutionally protected right; that political election signs have certain characteristics that distinguish them from many of the other types of signs permitted and regulated by the City, including the fact that these signs generally do not meet the regular structural design of permanent signs, given their temporary nature; that political election signs therefore present a potential hazard to persons and property; and that the City must impose reasonable time limits on the display of political election signs for these reasons.

7. Temporary signs for the sale of household goods at a residence (for example, garage sales or auctions) for a period not to exceed ten (10) days.
 8. Temporary signs for the sale at auction of real estate for a period not to exceed twenty-one (21) days.
- B. Exemptions from Sign Permit: The following signs are exempt from the sign permit section of this article, but shall comply with all of the other regulations imposed by this article:
1. Name plate signs not exceeding two square feet in gross area accessory to a single-family or two-family dwelling.

2. Bulletin board signs not exceeding 100 square feet in gross accessory to a church, school, or public or non-profit institution.
3. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.
4. Real estate signs not exceeding nine (9) square feet in area.
5. Construction signs not exceeding nine (9) square feet in area.

10. Prohibited Signs:

- A. Signs on Public Property: Any sign installed or placed on public property, except in conformance with the requirements, shall be forfeited to the public and subject to confiscation, except that logo signs on public athletic fields shall be allowed. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
- B. Obscene or Indecent Advertisement: No person shall display upon any sign or other advertising structure any obscene, indecent, or immoral matter.
- C. Roof Signs Above Roofline: Roof signs mounted or projecting above the highest roofline.
- D. Located on Right-of-Way: Any sign located on public right-of-way, except those signs required by governmental authority or political signs as may be permitted.

11. Temporary Portable Display Signs: With or Without Wheels Attached: Portable display signs shall be allowed on premises in a commercial or industrial zoning district for not more than seven consecutive days, and no more than thirty (30) days in a 12-month period.

12. Temporary Signs: Temporary signs shall be erected and maintained in a safe and attractive manner and shall be subject to applicable regulations except as specifically modified herein.

- A. Real Estate Signs: Real Estate Signs shall be removed within one week of the date of sale, rental, lease or open house. Signs over thirty-two (32) square feet in area shall be authorized by the Planning Commission, which shall base its decision on setback, traffic speed, sign design, and surroundings.
- B. Construction Signs: Construction signs shall be thirty-two (32) square feet or less. Such signs are subject to yard area requirements and may be erected at the start of construction and shall be removed upon project completion.

13. Maintenance:

- A. Existing Sign Maintenance: All signs shall be designed, constructed, and maintained in compliance with applicable provisions of the Building Code and the Electrical Code of

the City. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this regulation, all signs shall be constructed of permanent materials and shall be permanently attached to the ground or another structure by direct attachment to a rigid wall, frame, or structure.

B. Removal of Unsafe or Illegal Signs: If the enforcement agency shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this regulation, it shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within thirty (30) days after such notice, such sign or other advertising structure may be removed or altered to comply by the enforcement agency at the expense of the permittee or owner of the property upon which it is located. The enforcement agency shall refuse to approve a permit to any permittee or owner who refuses to pay costs so assessed. The enforcement agency may cause any sign or other advertising structure that is in immediate peril to persons or property to be removed summarily and without notice.

C. Sign Maintenance Enforcement:

1. All signs within the City shall be maintained in a safe condition and in such a manner that they shall not become a visual detriment to the community at large. The designated official shall be charged with the responsibility and authority to inspect all signs within the City and direct the maintenance of said signs. Maintenance of signs is defined as keeping sign structures in a safe condition, free of rust, with broken glass or plastic replaced, electrical lights and other electrical operations in operable condition, letters and other sign components in the equivalent condition as on the sign permit or as approved.

2. Should the enforcement agency find a non-maintained sign as defined above, it shall cause the owner of said sign to be notified as to the deficiency and the corrective action that needs to be taken.

3. Should the owner fail to exhibit evidence of compliance within 30 days after the mailing of the letter of notification, the enforcement agency shall cause the owner to be cited for violation of this regulation.

D. Painted Sign Maintenance: The owner of any sign as defined and regulated by this regulation shall be required to have properly painted at least once every two (2) years all parts and supports of the sign, unless the same are galvanized or otherwise treated to prevent rust.

14. Office Parks, Shopping Centers and Planned Districts: In the case of a proposed office park, shopping center, or other grouping of three or more tenants or establishments (new or remodeled), the developer shall prepare and submit to the Planning Commission a master signage plan for all permanent exterior signs. Such plan shall set standards that shall run with all leases or sales of portions of the development. A full and accurate description of all

signs shall be included indicating location, placement, materials, graphic design styles, type of illumination, etc. Final development plan shall not be approved until the Planning Commission has approved the sign standards. For purposes of this section the terms "shopping center, office park, or their groupings," shall mean a project of one or more buildings that has been planned as an integrated unit or cluster of units on property under unified control or ownership. The sale, subdivision, or other partition of the site does not exempt the project or portions thereof from complying with these regulations.

- A. In the case of a "shopping center, office park or other grouping" which is occupied by more than one tenant, one (1) monument sign or ground sign may be permitted in addition to the wall mounted signs, which sign shall depict only the name of the center or grouping of shops or offices.
- B. Where all tenants and/or property owners within a building or "shopping center, office park or other grouping" agree in writing, one tenant may, in lieu of the wall sign permitted, have one (1) monument sign or ground sign depicting the business or product. The design and location of this sign shall be subject to approval of the Planning Commission.

15. District Regulations:

A. Permitted Signs: The following table identifies permitted signs by type and district. Permitted signs are designated (P) in the table. Signs that are not permitted are designated (N).

Sign Types	R-S, R-1, R-2, R-3 & M-P	C-1	C-2	I-1
Function Types				
Advertising Sign	N	P	P	P
Bulletin Board Sign	P	P	P	P
Business Sign	P ¹	P	P	P
Identification Sign	P	P	P	P
Name Plate Sign	P	P	P	P
Memorial Sign	P	P	P	P
Temporary Sign	P ²	P ²	P ²	P ²
Structural Types				
Awning, Canopy or Marquee Sign	N	P	P	P
Ground Sign	P ³	P	P	P
Monument Sign	P ³	P	P	P
Elevated Sign	N	P	P	P
Portable Sign	N	N	P	P
Projecting Sign	N	P	P	P
Wall Sign	P	P	P	P
Flush-Mounted Logo Roof Sign	N	N	P	P
Elevated/Projecting Roof Sign	N	N	N	N
Window Sign	N	P	P	P
¹ Limited to business signs pertaining to a home occupation and subject to the sign requirements of the home occupation section of this regulation. ² Real estate signs for a period of not more than three years nor beyond the sale of 75% of the lots of a subdivision. ³ Limited to identification of subdivision only. Not to be used for individual lot or home occupation identification.				

B. Special Use Permits: Exceptions to the following district regulations, including the number of signs, maximum gross area, maximum height and required setbacks may be granted through the approval of a Special Use Permit.

C. "R-S" Residential Suburban, "R-1" Residential - Low Density, "R-2" Residential - Medium Density, "R-3" Multiple-Family Dwelling, "M-P" Manufactured Home Park Residential Districts:

1. Number of Signs Permitted: One sign per zoning lot.
2. Maximum Gross Area:
 - a. Business signs - home occupations: 4 square feet.
 - b. Bulletin board and identification signs: 50 square feet.
 - c. Construction signs: 20 square feet.
 - d. Name plate signs: 4 square feet.
 - e. Real estate signs: 9 square feet, provided that one sign not more than 100 square feet in area announcing the sale of lots and/or houses in a subdivision may be located on said development. Said sign shall be removed at the end of three years or when 75 percent of the lots have been sold, whichever occurs sooner.
3. Maximum Height: 15 feet.
4. Required Setback: No sign shall be placed closer to the front property line than one-half the distance of the front yard; except that real estate signs shall be exempt from setback requirements.
5. Illumination: Bulletin board signs may be indirectly illuminated with incandescent or fluorescent lighting.

D. "C-1" Business-Central District:

1. Number of Signs Permitted:
 - a. Awning, canopy or marquee signs, portable signs wall signs: No limitations.
 - b. Ground, elevated, or projecting signs: One per zoning lot.
2. Maximum Gross Surface Area: 4 square feet for each lineal foot of street frontage, provided no single sign shall exceed a gross surface area of 300 square feet.
3. Maximum Height: Same as "C-2", except elevated signs may not exceed 30 feet.
4. Required Setback: None, except that ground signs shall maintain a setback of 10 feet.
5. Illumination: Illuminated signs shall be permitted.

E. "C-2" Business-General District:

1. Number of Signs Permitted:
 - a. Awning, canopy or marquee signs, portable signs wall signs: No limitations.
 - b. Ground, elevated, or projecting signs: One per zoning lot.
2. Maximum Gross Surface Area: 4 square feet for each lineal foot of street frontage, provide no single sign shall exceed a gross surface area of 100 square feet.
3. Maximum Height: All signs: 10 feet, except wall and projecting signs may extend to the roof eave line.
4. Required Setback: None in the "C-2" District.
5. Illumination: Illuminated signs shall be permitted.

F. "I-1 Industrial District:

1. Number of Signs Permitted: Two per zoning lot.
2. Maximum Gross Surface Area: 4 square feet per lineal foot of street, frontage, provided no single sign exceeds a gross surface area of 300 square feet; except that advertising signs shall not exceed 700 square feet.
3. Maximum Height:
 - a. Roof signs: Not to exceed the highest point of the structure on which the sign is located.
 - b. All other signs: 10 feet, except elevated signs shall not exceed 30 feet, and advertising signs shall not exceed 16 feet.
4. Required Setback: None, except that advertising signs shall maintain the same setback that is required for principal structures and shall be located no closer than 1,000 feet from any other advertising sign.
5. Illumination: Illuminated signs shall be permitted.