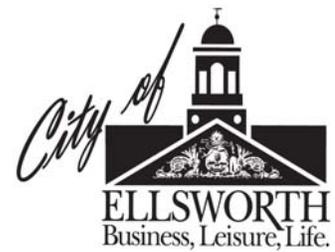


**City of Ellsworth
Chapter 56
Unified Development Ordinance**

**Article 12
Sign Standards**

Note: When the Unified Development Ordinance was adopted on June 18, 2012 Article 12 was reserved as place holder – left blank. On March 17, 2014 Chapter 9 Sign Ordinance of the Ellsworth Code of Ordinances was repealed and replaced with this Chapter.

Amended March 17, 2014
Amended April 21, 2014



ARTICLE 12 SIGN STANDARD

1201 PURPOSE AND APPLICABILITY

1201.1 Purpose. The purpose of this Article is to promote and protect the public health, safety, and welfare by regulating existing and proposed advertising signs of all types; to reduce sign obstruction that may contribute to traffic accidents; to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way; to improve pedestrian and traffic safety; and to enable the fair and consistent enforcement of this Article.

1201.2 Applicability. A sign may be erected, placed, established, painted, created, or maintained only in conformance with this Article.

1202 GENERAL PROVISIONS

1202.1 Sign Permit. Except as otherwise herein provided, no person shall erect, modify or move any signs visible from a public access way without first applying for and obtaining a sign permit from the Code Enforcement Officer.

1202.2 General Safety. No sign, whether new or existing, shall be permitted that causes a sight distance, traffic, health or welfare hazard or results in a nuisance due to illumination, placement, display, or manner of construction.

1203 APPEAL AND EXCEPTION.

1203.1 APPEAL. Unusual site conditions may warrant signs not allowed by this Article. Exception may be granted by the Board of Appeals per Article 1 Purpose and Authority, Section 114 Appeals, 114.3 Sign Standards.

1204 FEE. The fee for a sign permit is \$10.00.

1205 NON-CONFORMING SIGNS.

1205.1 Non-conforming Signs. Non-conforming signs damaged by any cause shall be removed or made to conform to this Article unless the replacement or repair cost is equal to or less than 50% of the replacement value at the time of the damage.

1206 EXEMPT SIGNS.

The following signs may be installed without a sign permit, provided they meet the requirements listed below. These signs shall not be included in the determination of type, number, or area of signs allowed on a given property.

1206.1 Address Signs. Signs installed in compliance with Article 8 Performance Standards Section 815 Street Naming and Property Numbering and with Chapter 4 Fire Prevention Codes and Ordinances.

1206.2 Government Signs. Official federal, state or local government signs.

1206.3 No Trespassing Signs. Trespassing warnings posted in compliance with the requirements of federal, state, and local laws.

1206.4 Traffic Safety Signs. Small incidental signs placed in parking lot and other private traffic directional signs limited to guidance of pedestrian or vehicular traffic within the premises on which they are located. Generally these signs do not exceed 3 feet in height and 5 square feet in area.

1206.5 Vehicle Signs. Painted signs or decals affixed to the body of any vehicle, unless parked for the primary purpose of displaying the sign.

1206.6 Memorial/Interpretative Markers. Memorial, interpretative signs or historical signs or tablets displayed by a public or educational non-profit agency strictly for the purpose of informing or educating the public.

1207 TEMPORARY SIGNS.

Temporary signs as listed below do not require a permit. Temporary signs shall not be placed in a position that will obstruct or impair vision to traffic or in any manner create a hazard or disturbance to the health, safety, and welfare of the general public.

1207.1 Construction Signs. Construction signs not to exceed 32 square feet in aggregate may be erected on the premise on which construction, alteration, or repair is taking place, during the period of active continuous construction. Sign display is limited to the names and logos of the architects, engineers, landscape architects, contractors, lending institutions, or similar individuals or firms having a role or interest with respect to the project. Construction signs must be removed within ten business days of the completion of construction.

1207.2 Real Estate Signs. A real estate sign advertises the lease or sale of land, space, or structure. Real estate signs may be single- or double-faced and are limited to a maximum of two 6 square feet signs for residential structures and a maximum aggregate of 32 square feet for commercial properties. Real estate signs should preferably be located on the property for sale/lease. All off-premise real estate signs shall be located

within a public right-of-way. Real estate signs must be removed within ten business days of the date of sale or lease of the property.

1207.3 Political Signs. A political sign of 32 square feet maximum bearing political messages relating to an election, primary or referendum may be erected within the public right-of-way no sooner than six weeks prior to an election and must be removed no later than one week following the date of the election.

1207.4 Special Events. Signs and banners for special events such as but not limited to sales, promotions, holidays, auctions, and grand openings shall comply with the following regulations.

A. **Duration.** The signage may not be placed more than 30 days prior to the initial date of the special event, and must be removed within 10 days after the special event.

B. **Attention Getting Devices.** Attention-getting devices such as but not limited to balloons, flags, pennants, streamers, and people carrying or wearing signs are allowed in conjunction with a special event. Any attention-getting device may not be placed within the right-of-way and shall not create a traffic hazard.

1207.5 Civic Event. A sign other than a special event sign, posted to advertise a civic event or initiative sponsored by a not for profit or public agency, school, church, or other similar noncommercial organization.

1207.6 Farm Products. A sign erected by a producer of agricultural products that are grown, produced, and sold on the producer's premise. The sign must be directional in nature and may advertise only the agricultural product that is available for immediate purchase. The sign shall be removed once the agricultural product advertised on the sign is no longer available. A sign may not exceed 8 square feet in size and must be located within 5 miles of where the product is sold. Landowner permission must be obtained. A producer may not erect more than 4 signs.

1208 SIGN MAINTENANCE AND UNSAFE, ABANDONED, AND OBSOLETE SIGNS.

1208.1 Maintenance. All signs must be maintained. The signs must be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastening, and must be maintained at all times in such condition so as not to be detrimental to the public health or safety or detrimental to the physical appearance or the character of the neighborhood, or constitute a distraction or obstruction that may contribute to traffic accidents. Normal wear and tear of aged signs including the copy of changeable display signs and banners shall be repaired when they detract from the visible quality of the sign.

1208.2 Unsafe Sign. Any sign that, in the opinion of the Code Enforcement Officer, is unsafe or not adequately secured, including but not limited to a sign where the display areas or panels are visibly cracked or broken, where the support structure or frame members are visibly corroded, bent broken, torn, or dented shall be deemed an unsafe sign. Such sign conditions shall be corrected or removed, together with any supporting structure, by the owner of the property on which the sign is located, within 90 days of written notice by the Code Enforcement Officer. If an unsafe sign poses an immediate threat, the Code Enforcement Officer can require immediate correction.

1208.3 Obsolete Sign. The frame and supporting structure of a sign that no longer advertises or identifies a bona fide business conducted on the property or product sold may remain in place except that all advertisement, displays, copy shall be removed within 60 days. Such signs shall be maintained not to create an eyesore. For example, an obsolete wall sign should be removed, and the wall area that was covered by the sign should be repaired and painted.

1208.4 Abandoned Sign. A sign or sign structure on a site where all buildings have been demolished or removed for more than 60 days shall be removed by the owner of the property on which it is located or within 60-day written notice by the Code Enforcement Officer.

1209 MAINE DOT OFFICIAL BUSINESS DIRECTION SIGNS. There is one area where off-premise Official Business Direction Signs are prohibited:

1209.1 Main Street Area: Includes Main Street from the Union River to High Street and the first 50 feet of any street intersecting the aforementioned segment of Main Street.

1210 GENERAL SIGN STANDARDS.

1210.1 Setbacks.

A. Sign locations shall not interfere with sight distance or pedestrian and cyclist safety.

- B. Signs shall be setback at least 5 feet from any property line and a setback greater than 5 feet may be required by the administrator to avoid interference with the line of sight of vehicles and pedestrian circulation.
- C. In the Downtown Zone, where buildings are built on the lot lines or thereabout, the administrator may disregard the minimum 5 feet sign setback provided that the sign location does not interfere with visibility required for safe vehicular and pedestrian circulation, especially at street corners.

1210.2 ON- AND OFF-PREMISE SIGNS.

- A. **Distance.** All signs (on- and off-premise) shall be located within 1,500 feet of the principal building or facility where the business is carried on or practiced or within 1,500 feet of the point of interest. Storage areas, warehouses and other auxiliary structures and fixtures shall not be deemed to be buildings where the business, facility or point of interest is carried on or practiced.
- B. **Formal Easement and Owner Permission.** The placement of any off-premise signs requires a formal easement with the exception of portable signs, which only require written owner permission.
- C. **Home Occupation and Subdivision Signs.** Home occupation and subdivision signs are not allowed off-premise.

1210.3 Home Occupation. One sign identifying the name, address, and profession of a home-occupation is allowed provided such sign does not exceed 12 square feet in area and 6 feet in height.

1210.4 Lighting Standards.

- A. Lighting for sign shall not create a hazardous glare for pedestrian or vehicles either in a public street or on any private premises.
- B. The light source shall be shielded from view.
- C. Signs using exposed neon or other gas tube illumination bent to form letters, symbols, or other shapes do not need to be shielded.
- D. Externally illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
- E. Signs shall be designed so that illumination does not exceed 10 foot-candles measured at a distance of 10 feet from the base of the sign. This standard may need to be lowered to avoid light trespass.

1210.5 Clearance. Awning, marquee, projecting, suspended wall signs and other overhead signs shall conform to the following requirements.

- A. **Vertical Clearance.** The minimum clearance between the lowest point of a sign and the grade immediately below shall be 8 feet for all or any portions within a public right-of-way and walkway areas.
- B. **Horizontal Clearance.** The minimum horizontal clearance between a sign and the curb line shall be 2 feet.

1210.6 Attachment and Anchor. Sign attached to masonry, concrete or steel shall be safely and securely fastened by means of metal anchors, bolts or expansion and lag screws of sufficient size and anchorage to safely support the loads applied. Nails shall not be used to secure any projecting sign to any building or structure.

1211 DETERMINATION OF SIGN AREA, DIMENSIONS AND HEIGHT.

1211.1 Determination of Sign Area and Dimensions. In general, the sign area is calculated by determining the number of square feet within which a sign face can be enclosed. The total sign area is the sum of all individual sign areas.

- A. **Framed Wall Sign.** For a wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimension shall include the entire portion within such background or frame.
- B. **Un-framed Wall Sign.** For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements. Minor appendages to a particular shape shall not be included in the total area of a sign.
- C. **Freestanding Sign.** For a freestanding sign, the sign area shall include the frame, if any, but shall not include.
 - i. A pole or other structural support unless such pole or other structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device.
 - ii. Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, and which may consist of landscape, building, or structural forms complement the site in general.
- D. **Sign Faces.** When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces. When the sign has more than two display surfaces, the area of the sign shall be the area of largest display surfaces that are visible from a single direction.

One important consideration in determining if a "feature" - landscaping or architectural - should be excluded from the sign is whether the feature or element, without lettering or logo, would otherwise be constructed - as part of the building or site development if the answer is "yes," then the areas of the feature should be excluded from being part of the sign.

1211.2 Determining Sign Height. The height of the sign shall be measured from the ground, adjacent to the sign, to the top of the sign and support structures.

- A. **Freestanding Sign Height.** The height of a freestanding sign shall be measured from the base of the sign or supporting structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on a man-made base, including a graded earth mount, shall be measured from the grade of the nearest

pavement or top of any pavement curb. The word pavement also refers to other pervious surfaces such as but not limited to compacted gravel. If the grade of the site where the sign is located is significantly lower than the public accessway, the Code Enforcement Officer may allow additional sign height (above the lower grade) to assure that the sign has visibility equal to the other signs along the accessway.

- B. **Projecting Sign Clearance.** Clearance from projecting signs shall be measured as the smallest vertical distance between the finished grade and the lowest point of the sign, including any framework or other embellishments.

1212.3 SPECIFIC STANDARDS BY ZONING DISTRICTS

Zoning District	Maximum Aggregate Area of Signs	Wall Sign	Projecting Sign	Freestanding Sign			Portable Sign	Changeable Display Sign	Window Sign	Home Occupation Sign	Subdivision Sign
				For development of less than 100,000 SF GFA	For development of 100,000 SF GFA or more	For Park Zones					
DT	NA	<ul style="list-style-type: none"> -The maximum sign area is 1.5 SF per LF of building or tenant frontage with an additional 32 SF for each additional floor. -The sign width cannot be greater than 80% of the length of the tenant space or the length of the building frontage for single tenant building. -The sign area may be increased by 25% when the building is set back at least 200 feet from the public accessway and may be further increase by an additional 25% for each additional 200 feet of setback or fraction thereof, up to a maximum increase of 100%. -The sign cannot exceed the height of the ridge of the roof except for flat roof where it can extend no more than 6 feet above the eave of the roof. 	<ul style="list-style-type: none"> -One sign per public entrance. -The maximum sign area is 12 SF per public entrance. -The minimum sign clearance is 8 ft above the public right-of-way or private walkway areas. 	<ul style="list-style-type: none"> -The maximum sign area is 64 SF per street frontage. -The maximum sign area may be split into more than one sign. -The maximum sign height is 12 FT. 	<ul style="list-style-type: none"> The maximum sign area is 64 SF per Street frontage. -The maximum sign area may be split into more than one sign. -The maximum sign height is 12 FT. 	NO	<ul style="list-style-type: none"> -The maximum aggregate sign area is 32 SF. -The maximum sign area may be split into more than one sign. -The max sign size is 8 SF. -The maximum sign height is 4FT. -Signs may not be illuminated. -Signs must be weighted down. 	<ul style="list-style-type: none"> -Changeable display sign may be utilized on any permitted sign. -The changeable display shall not change more than once every 5 minutes. When the display changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or phasing. -Required to have automatic dimming capability that adjusts to the brightness to the ambient light at all times of the day and night. 	<ul style="list-style-type: none"> -Window signs shall not exceed 50% of the total area of all windows per facade. 	<ul style="list-style-type: none"> -The maximum sign area is 12 SF. The maximum sign height is 6 FT. -A maximum of one sign per home. 	<ul style="list-style-type: none"> -The sign must be maintained by the developer or the homeowners association. -The maximum sign area is 32 SF. -The maximum sign height is 8 FT. -One residential subdivision sign is allowed at each major street frontage of a subdivision.
U	NA	<ul style="list-style-type: none"> -The maximum sign area is 2.0 SF per LF of building or tenant frontage with an additional 32 SF for each additional floor. -The sign width cannot be greater than 80% of the length of the tenant space or the length of the building frontage for single tenant building. -The sign area of any wall sign may be increased by 25% when the building is set back at least 200 feet from the public accessway and may be further increase by an additional 25% for each additional 200 feet of setback or fraction thereof, up to a maximum increase of 100%. -The sign cannot exceed the height of the ridge of the roof except for flat roof where it can extend no more than 6 feet above the eave of the roof. 	↓	<ul style="list-style-type: none"> -The maximum sign area is 64 SF per Street frontage. -The maximum sign area may be split into more than one sign. -The maximum sign height is 16 FT. 	<ul style="list-style-type: none"> -The maximum sign area for the development is 200 SF per street frontage with a primary entrance and the maximum sign height is 25 FT. -If the development has several buildings an additional 32 SF of sign area is allowed for each individual building with a maximum height of 10 feet. -The maximum sign area may be split into more than one sign. 	NO	↓	↓	↓	↓	↓
C	NA	<ul style="list-style-type: none"> -The maximum sign area is 2.5 SF per LF of building or tenant frontage with an additional 32 SF for each additional floor. -The sign width cannot be greater than 80% of the length of the tenant space or the length of the building frontage for single tenant building. -The sign area of any wall sign may be increased by 25% when the building is set back at least 200 feet from the public accessway and may be further increase by an additional 25% for each addition 200 feet of setback or fraction thereof, up to a maximum increase of 100%. -The sign cannot exceed the height of the ridge of the roof except for flat roof where it can extend no more than 6 feet above the eve of the roof. 	↓	<ul style="list-style-type: none"> -The maximum sign area is 96 SF per Street frontage. -The maximum sign area may be split into more than one sign. -The maximum sign height is 25 FT. 	<ul style="list-style-type: none"> -The maximum sign area is 300 SF per street frontage where there is a primary entrance and the maximum sign height is 25 FT. -If the development has several buildings an additional 32 SF of sign area is allowed for each individual building with a maximum height of 10 feet. -The maximum sign area may be split into more than one sign. 	NO	↓	↓	↓	↓	↓

1212.3 SPECIFIC STANDARDS BY ZONING DISTRICTS continued											
Zoning District	Maximum Aggregate Area of Signs	Wall Sign	Projecting Sign	Freestanding Sign			Portable Sign	Changeable Display Sign	Window Sign	Home Occupation Sign	Subdivision Sign
				For development of less than 100,000 SF GFA	For development of 100,000 SF GFA or more	For Park Zones					
N	32 SF	YES	-One sign per public entrance. -The maximum sign area is 12 SF per public entrance. -The minimum sign clearance is 8 ft above the public right-of-way or private walkway areas. 	-The maximum sign height is 8 FT.	NO	NO	-Changeable display sign may be utilized on any permitted sign. -The changeable display shall not change more than once every 5 minutes. When the display changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or phasing. -Required to have automatic dimming capability that adjusts to the brightness to the ambient light at all times of the day and night. 	-Window signs shall not exceed 50% of the total area of all windows per facade. 	-The maximum sign area is 12 SF. The maximum sign height is 6 FT. -A maximum of one sign per home. 	-The sign must be maintained by the developer or the homeowners association. -The maximum sign area is 32 SF. -The maximum sign height is 8 FT. -One residential subdivision sign is allowed at each major street frontage of a subdivision. 	
I	96 SF	YES		-The maximum sign height is 12 FT.	NO	NO					
BP	96 SF in addition to signs allowed per the Freestanding Park Zone standard.	YES		-The maximum sign area is 64 SF. -The maximum sign height is 12 FT.	NO	-One per park zones. -Requires formal easement if off-premise unless on city-owned land. -The maximum sign area is 300 SF. -The maximum sign height is 25FT.					NO
R	64 SF	YES		The maximum sign height is 12 FT.	NO	NA					YES
DW	64SF	YES		The maximum sign height is 12 FT.	NO	NA					YES
CP	48 SF in addition to signs allowed per the Freestanding Park Zone standard.	YES		The maximum sign height is 10 FT.	NO	-One per park zones. -Requires formal easement if off-premise unless on city-owned land. -The maximum sign area is 300 SF. -The maximum sign height is 25FT.	NO				

SF: square footage; GFA: gross floor area; LF linear footage; FT; feet; and NA: not applicable.

