

## CHAPTER 145 SIGNS

### **Section 145-010 Purpose**

The purpose of this section is to promote the public safety and welfare by providing standards to control the location, surface area, number, illumination, height, and overall design of signs. Benefits of such standards include assurance that emergency personnel may quickly locate an address; motorists are not hindered by an excess of signage or associated lighting when attempting to locate a specific business or address; motorist safety on roadways and when exiting and entering business parking lots is enhanced; signs are compatible with the size and type of businesses being identified and advertised; aesthetic values of the community are honored; and blight upon the business community is prevented.

### **Section 145-020 Definitions**

**Sign:** The term “sign” shall include any structure, or part thereof, or any device attached to a building or structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks, or any other graphic representation which is in the nature of an announcement, advertisement or other device used to attract the attention of the public. The term “sign” shall also include any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations.

**Billboard:** A sign designed or intended to direct attention to a business, product, activity or service that is not sold, rented, offered or existing on the property where the sign is located, including the billboard structure and all attached sign faces.

**Building Frontage:** The length of the side of the building from which primary access to the building is gained.

**Directional Sign:** A small freestanding sign typically used to denote entrances and exits to a business or property. A directional sign may be no more than two (2) square feet in area and three feet (3’) in height. A directional sign may be placed at each entrance and exit to a parking lot or driveway and/or used for the purpose of aiding traffic circulation within a parking lot. Directional signs may not contain advertising. They may be illuminated provided they are designed, located, installed and directed in such a manner as to prevent objectionable light and glare.

**Directory Sign or Way-finding Sign:** A sign containing the names of tenants and a directional indication of their location on a property with two (2) or more businesses or professional buildings. Directory signs may not contain advertising. Directory signs may be illuminated provided they are designed, located, installed and directed in such a manner as to prevent objectionable light and glare. The maximum size of a directory sign

shall be twenty-four (24) square feet, with a maximum of four (4) square feet per tenant name, and a maximum height of eight feet (8'). Up to three (3) directory signs with no more than two (2) faces per sign shall be allowed per lot. Directory signs shall be uniform as to size, shape, color and material used. Directory signs may not be located closer than 50 feet from the front property line. Such signs may also be erected in an industrial or institutional complex with more than two buildings.

**Freestanding Sign:** A sign placed on the ground or supported by a structure other than a building placed in or on the ground. A freestanding sign may be located within the front setback/landscape area at least ten feet (10') from the front property line in all zones. The emergency response address may be included\* and shall not be considered part of the total square footage provided it does not exceed ten (10) square feet in area. The maximum allowable height and area of a freestanding sign can be found in Sections 145-050, 145-090, and 145-100. \*Refer to §5-13(c) of the Town Charter.

**Gasoline Price Sign:** One (1) price sign per lot where gasoline is legally sold, not larger than twenty four (24) square feet in area and fifteen feet (15') in height. A gasoline price sign may be a separate, second freestanding sign, or the additional 24 square feet may be incorporated into the permitted freestanding sign provided the height does not exceed fifteen feet (15'). Only the gasoline price may be LED/LCD illuminated.

**Illuminated Sign:** A sign lit from within typically constructed of plastic or other translucent or opaque material shall be considered internally or directly illuminated. A sign lit by an indirect source shall be considered externally or indirectly illuminated. Illuminated signs shall be designed, located, installed and directed in such a manner as to prevent objectionable light and glare. Any illumination of signs shall be confined to the surface of the illuminated sign in compliance with Chapter 131 of these regulations and be approved by the Zoning Enforcement Officer.

**Interior Illuminated "Open" Sign:** An illuminated or neon sign on the interior of a building, not exceeding two (2) square feet in area that is used to indicate a business is open. Such signs must be turned off when the business is closed and may not flash, blink, oscillate, and/or rotate.

**Interior Window Sign:** A sign, affixed to the interior of a window, for the purpose of advertising goods or services sold or provided from the premises. Such sign(s) shall not exceed twenty-five percent (25%) of the window surface they are visible through.

**Lot Frontage:** The length of the front lot line. Where a building is located on a lot having frontage on two (2) public streets (corner lot), the Zoning Enforcement Officer or Land Use Inspector shall determine which lot line shall be used in determining compliance with these regulations.

**Off-site sign:** A sign located on a parcel of land which directs the public to a business or public attraction/location that is located on another parcel of land for the purpose of safety and convenience.

**Pennants/Banners:** Signs composed of fabric, plastic or similar sheeting materials that are hung from or otherwise mounted on or attached to buildings or poles, including flags and banners.

**Political Signs:** Political campaign signs or signs concerning a matter of public interest or controversy including any poster, writing, notice, insignia, and any other device, to announce the candidacy of any persons seeking public office or to state a position or opinion on a matter of public interest or controversy. Each sign shall not exceed thirty-two (32) square feet in area.

**Public Information Sign:** A sign not exceeding two (2) square feet in area attached flat against a principal building to identify hours of operation or other basic information of a non-advertising nature.

**Public Signs:** Signs of a non-commercial nature, erected in the public interest by or on the order of a public official, in the performance of his/her duty, including temporary signs legally required by a board or commission, including, but not limited to safety, trespassing, traffic control signs, and signs of memorial or historic interest, not to exceed sixteen (16) square feet.

**Residential Dwelling Sign:** A sign located on a residential property. It is suggested that the emergency response address be indicated on such sign. One (1) ground sign per lot is permitted, not to exceed one and one-half (1 ½) square feet, and one building face sign per parcel is permitted, not to exceed one (1) square foot.

**Sandwich Board Sign/“A” Frame Sign:** A Freestanding tent sign typically placed on the sidewalk or in the front landscape area.

**Sign:** See definition at the beginning of this section.

**Special Event Signs:** For temporary public, charitable, educational, or religious events conducted in the Town of New Milford. Such signs are limited to an activity scheduled for specific dates and not for continuous activities or on-going programs. One (1) sign not exceeding twenty (20) square feet in area on the same lot as the event, plus a maximum of five (5) other signs, no larger than six (6) square feet in area each at other locations (with the permission of the property owner), provided that said signs are posted no sooner than fifteen (15) days prior to the event, and removed within three (3) days of the close of the event. No such signs shall be placed a manner that obstructs traffic lines of sight. No special event signs shall be illuminated.

**Temporary Advertising Sign:** A sign not permanently affixed and displayed for a limited period of time by a business. A temporary advertising sign is intended to advertise, announce or identify a special event or promotion. Such sign must be located on the same lot as the business it promotes.

**Wall Sign:** Sign mounted directly on the building's façade as opposed to being constructed as a free-standing structure. Such signs may be illuminated. Canopies and awnings are considered part of the building to which they are attached and any sign face on such shall be considered a wall sign and subject to these regulations.

**Wall-Hung Sign:** A sign attached to a building that is perpendicular to the building's façade. Such signs must be located a minimum of 84 inches from the ground level at its lowest point.

**Warning Sign:** Property control signs located on private property, not exceeding two (2) square feet in area that are used to indicate the private nature of a property or use.

**Way-finding Sign:** See "Directory Sign" above

### **Section 145-030 Exempt Signs**

The following signs do not require a zoning permit provided such sign meets the sign definition as found in section 145-020, where so noted:

1. Interior window signs and interior illuminated "Open" signs
2. Directional signs
3. Directory signs/way-finding signs
4. Political signs
5. Public information signs
6. Public signs
7. Special event signs
8. Residential dwelling signs
9. Warning signs
10. Historic plaques
11. Illustrations, insignia or lettering which is an integral and permanent part of the architecture of a building constructed prior to 1950
12. Flags, insignia or pennant of any government unit
13. Building contractors and real estate sale or lease signs, provided that:

- a. In all Residential Zones, the Village Center Zone, B-4 Zone, Litchfield Corridor Overlay District, and the Town Landmark District the size does not exceed six (6) square feet in area and four feet (4') in height and is located at least ten feet (10') from the front property line, or if the building is located closer than 10' to the front property line, such sign shall be placed on the building.
  - b. In the B-1, B-2, B-3, R-I, I, IC, Airport, MV, HRF zones, and any future non-residential zones which may be established, the size does not exceed fifteen (15) square feet in area or five feet (5') in height and is located at least ten feet (10') from the front property line, or if the building is located closer than ten feet (10') to the front property line, such sign must be located on the building.
  - c. All such signs must be removed with three (3) days of finalization of sale, signing of lease, or completion of construction. Signs may not be illuminated, and one (1) sign is permitted per lot and must be located on the lot that is for sale/lease or under construction.
14. Signs for advertisement of goods and services at a public facility for spectator sports such as a baseball field, softball field, football field and/or soccer field, provided the signs are intended for viewing by the spectators within the facility. Such signs may be made of fabric or plastic material.
15. Wall hung directory signs in Village Center Zone up to four (4) square feet in area.

#### **Section 145-040 Prohibited Signs**

The following signs are prohibited in all zones:

1. Flashing signs
2. Moving signs, which include, but are not limited to, permanent spinners, streamers, feather flags, wind and/or air dancers, and revolving signs.
3. Portable or mobile signs, including any sign which is mounted on wheels, or is collapsible, including "A" frame signs or sandwich board signs, with the exception of those Temporary Advertising Signs permitted under Section 145-100 and sandwich board signs permitted in the Village Center Zone under Section 080-040.
4. Any sign attached to a building or structure which extends above the roofline or parapet.
5. Pennants and banners with the exception of temporary banners as specified in Section 145-100(2)(b) and 145-100(3) and signs within a public facility for spectator sports under Section 145-030(14).

6. Signs with electronic displays, image displays (LED, LCD etc) or moving, scrolling, and/or continuous strip lights with the exception of permitted gasoline price signs under Section 145-020.

## **Section 145-050 Permitted Signs**

All signage described in this section requires a zoning permit.

1. **Residential Zones:** In a residential district, MR District, AACZ, MPRDD, CCSD, R-MH, or any future residential zone which may be created, one (1) sign is permitted for legally existing uses as follows:
  - a. One (1) sign not exceeding four (4) square feet in area is permitted for legally pre-existing home occupations, professional offices, bed and breakfast inns, riding academies, farm stands, and general home occupations. The sign may be either free standing, wall-hung, or a wall sign. A free-standing sign may not exceed a height of eight feet (8') from the ground to the top of the sign.
  - b. One (1) sign not exceeding sixteen (16) square feet in area and ten feet (10') in height for a freestanding sign may be permitted for churches, schools, colleges, farms, public libraries, community buildings, public parks, public playgrounds, public recreation buildings, stadium or athletic field, golf course, nursery, hospitals, nursing homes, convalescent homes, cemeteries, marinas, municipal buildings, and other philanthropic organizations.
  - c. One (1) freestanding sign posted at the entrance to a residential subdivision, multiple-residence development, or active adult community, not to exceed twelve (12) square feet in area and three feet (3') in height noting the name of the complex or development and may include the property's address.
2. **Business, Industrial, Airport, and Motor Vehicle Junkyard Zones:** In a B-1, B-2, B-3, B-4, I, IC, RI, Airport and MV zones, and any future non-residential zones which may be established, the following signs are permitted, as follows:
  - a. All signs permitted in residential zones.
  - b. Freestanding signs, provided that only one (1) free-standing sign is allowed per lot. Freestanding sign exceptions: properties where gasoline is legally sold (not to exceed 24 square feet); properties approved to host an off-site sign in accordance with section 145-090; freestanding signs allowed as temporary under section 145-100.
    - i. The maximum allowable area of a freestanding sign shall be determined as follows: the length of the lot frontage multiplied by 0.2 equals the maximum square footage allowable for the surface area of a free standing sign, up to a maximum size of

forty (40) square feet in area, with the exception that in the B-4 zone, free standing signs may not exceed sixteen (16) square feet in area. Refer to sections 145-090 (Off-Site Signs) and 145-100 (Temporary Advertising Signs) for additional standards.

- ii. The maximum allowable height of a freestanding sign shall be fifteen feet (15') from the ground to the top of such sign unless otherwise specified by these regulations.
- c. Wall signs and wall hung signs, provided the total area of all wall and wall-hung signs on a building, excluding those exempt signs listed under section 145-030, shall not exceed one (1) square foot for each linear foot of building frontage. In a multi-tenant building the frontage of the tenant unit shall determine the allowed square footage of such sign(s).
  - i. Where a building is located on a lot having frontage on two (2) public streets (corner lot), the maximum total sign area which may be permitted, on or parallel to the building frontage, shall not exceed the provision of subsection c. above. An additional wall sign may be permitted provided that such sign does not exceed one (1) square foot for each linear foot of building frontage to the abutting street and that in no case shall exceed twenty five (25) square feet in total surface area.

3. **Village Center Zone:** In the Village Center Zone the following signs are permitted and the following special standards shall apply:

- a. All signs permitted in residential zones.
- b. Permitted businesses with a front lawn or front landscape area may choose from either a freestanding sign or a wall sign. The maximum size for either type of sign shall not exceed sixteen (16) square feet in area. The maximum height for a freestanding sign shall be ten feet (10').
- c. Permitted businesses with buildings that front directly on the sidewalk may choose from either a wall sign or a wall-hung sign. One (1) sign is permitted per business. The maximum size allowed of a wall sign is one (1) square foot of area for each foot of building frontage, not to exceed sixteen (16) square feet. The maximum size of a wall-hung sign, excluding its structure is six (6) square feet, and must be located a minimum of 84 inches from the ground level at its lowest point, and may not project more than 36 inches from the building face.
- d. No signs, including interior window signs, shall be illuminated or neon with the exception of one (1) interior illuminated "Open" sign not exceeding two (2) square feet in area. Such signs must be turned off when the business is closed and may not flash, blink, oscillate, and/or rotate.
- e. It is recommended that signage be designed to be consistent with the architectural style, character and composition of the façade of which it is a part.

- f. Sandwich board signs as permitted by Section 080-040(2)(g) of these regulations.
- g. In addition to the signs permitted above, one (1) additional wall-hung directory sign up to four (4) square feet in area shall be permitted per business.

### **Section 145-060      Application Procedures**

Unless otherwise provided in this regulation, no sign shall be established, constructed, reconstructed, enlarged, extended, moved or structurally altered until a zoning permit has been issued for such sign. Every application for a sign permit shall include the following information and exhibits in addition to a completed sign application form:

1. For a freestanding sign, a plot plan depicting the proposed location of the freestanding sign on the lot.
2. For a wall or wall-hung sign, an illustration of the location of the wall/wall-hung sign on the building.
3. A rendering showing the design, area, height, width, structural details, dimensions and lighting of the proposed sign.
4. Any other information deemed necessary by the Zoning Enforcement Officer to issue the permit.

### **Section 145-070      Additional Standards**

1. Signage shall be consistent with and complementary to the architectural style and general design scheme for the building or buildings within the site. A uniform sign plan shall be created for all permitted signs located in a multi-tenant building or on a multi-building property. Such plan shall provide for consistency between all signs upon the lot and upon the building or buildings in terms of standardized location, lighting, generalized design features, etc.
2. No sign shall extend beyond any lot line with the exception of permitted wall-hung signs in the Village Center Zone.
3. No signs, including those not requiring permits, shall be placed in such a position as to endanger traffic on a street or public way by obscuring a clear view or by interference with official street or highway signs or signals.
4. No signs, for which a zoning permit is required, shall be erected or maintained within street or highway right of ways with the exception of signs granted an encroachment permit by the CT Department of Transportation.



5. Signs may advertise, identify or give publicity or notice only with respect to a use of land, buildings or structures located on the lot where the sign is located with the exception of off-site signs permitted in accordance with Section 145-090 of these regulations and applicable exempt signs in accordance with Section 145-030(4), (7) and (14).
6. The permitted size of a sign is measured by determining the surface area of the rectangle, circle or triangle of the actual sign face to determine its square footage, excluding any structure necessary to support the sign. When a free-standing sign is double-faced, only one side shall be counted to determine square footage.
7. It shall be prohibited to erect, cause to erect, or allow to remain erected:
  - a. Any sign for which a zoning permit is required and has not been issued.
  - b. Any sign which, once erected, does not comply with the specifications or any other permit requirement on which basis a permit was issued.
  - c. Any sign, lights, or supports thereof which identify a use which no longer exists or has been abandoned for a period of more than three (3) months.

#### **Section 145-080 Nonconforming Signs**

Any sign which legally existed upon the effective date of these regulations or any amendment thereto, and not in conformance with its provision, shall be deemed a nonconforming sign. Such nonconforming sign may be repaired, repainted and re-lettered, however, no nonconforming sign shall be structurally altered, relocated or replaced except in compliance with these regulations, with the following exception:

1. If the nonconforming sign advertises a business located on the same property as said sign, and the business has been in continuous operation, replacement of said sign may be permitted so as not to be more nonconforming, subject to acquisition of a zoning permit.

#### **Section 145-090 Off-Site Signs**

1. When a permitted business is located on a parcel of land in the B-1, B-2, I, IC or RI zone and has no frontage on a State or Town road, but some portion of the property is located within 1,000 feet of a State or Town right-of-way, application may be made to locate one freestanding sign on a host property that has frontage on a State or Town Road, provided:
  - a. The size of the off-site sign may not exceed twenty (20) square feet in area and fifteen feet (15') in height from the ground level to the top of the sign.
  - b. If the host property contains a permitted freestanding sign structure, the off-site sign may be added to said structure but may not exceed or cause the host sign to exceed fifteen feet (15') in height.
  - c. A host property may not allow more than one (1) off-site sign.

- d. The non-frontage property may not have more than one (1) corresponding off-site sign.
  - e. The applicant for an off-site sign permit must apply for and obtain site plan approval in accordance with the provisions of Chapters 175 of these regulations.
2. For public attractions/locations (non-business/non-commercial) open to members of the general public application may be made to erect an off-site sign for the purpose of public safety and information provided:
- a. The size of the off-site public attraction sign may not exceed six (6) square feet in area and four feet (4') in height and may contain no advertisement.
  - b. An off-site public attraction sign may be located on private property with permission of the property owner or on public property with permission from the Department of Transportation for State property or from the Department of Public Works and/or Mayor for Town property.

**Section 145-100      Temporary Advertising Signs**

Temporary Advertising Signs, either attached or freestanding, are allowed for permitted businesses in any business or industrial zone with frontage on Route 7, Route 202, south of Route 109, Still River Drive, and Grove Street. Grand Opening/New Management and temporary seasonal farm signs are allowed in all zones.

1. All temporary advertising signs are subject to the following conditions:
  - a. For single tenant/business properties, one (1) temporary advertising sign may be displayed at any given time.
  - b. For multi-tenant/business properties, one (1) temporary advertising sign may be permitted for every fifty feet (50') of property frontage, up to a maximum of four (4) per property at any given time.
  - c. No temporary advertising sign may be illuminated.
  - d. All temporary advertising signs must be professionally prepared and secured and/or anchored.
  - e. A temporary advertising sign must be located on the lot where the business it advertises or the event it promotes is located.
  - f. A temporary advertising sign or banner may not be affixed to an existing freestanding sign structure or placed within ten feet (10') of the front property line.
  - g. All temporary advertising signs shall be brought inside at the end of each business day when the business is not open.
  
2. The following types of temporary advertising signs are allowed subject to the above conditions:

- a. A non-permanent freestanding advertising sign that must be constructed of rigid material and may not exceed eight (8) square feet in surface area and five feet (5') in height.
  - b. A non-permanent wall mounted banner that must be constructed of fabric or plastic material and may not exceed twenty (20) square feet in surface area.
  - c. A non-permanent sandwich board or A-frame sign no larger than thirty inches (30") in width and thirty-six inches (36") in height
3. Grand opening or new management signs or banners may be displayed as a one-time occurrence for a period not to exceed thirty (30) days. Wall mounted banners shall be constructed of fabric or plastic material and may not exceed twenty-four (24) square feet in surface area. Freestanding signs may not exceed twelve (12) square feet in area and five feet (5') in height. No more than one (1) temporary new business sign is allowed per business. Such signs are allowed for permitted businesses in all zones.
4. A temporary non-permanent sign advertising the seasonal sale of farm or forestry products may be displayed on the property where the sale is occurring. The sign must be constructed of rigid material and may not exceed eight (8) square feet in surface area and five feet (5') in height. Such signs are allowed in all zones.

*(Chapter Amended Effective: April 25, 2013)*