

Council Agenda Report

Date: February 17, 2017
Submitted by: Odie Wheeler, Director of Public Works
Prepared by: Pat Escher, City Planner, A.I.C.P.

SUBJECT: Ordinance No. 1095 Text Amendment to (1) include windblown banners as a prohibited use (2) permit the relocation of a non-conforming billboard within the State's Scenic Byway to a location outside the byway (3) establish parameters for flags (4) define temporary sign display limitations (5) allow two free standing signs for thru lots, and (6) allow window signage to be calculated separately from the other site signage.

Recommendation: That Council

- A. Introduce Ordinance No. 1095 by reading of title only; and
- B. Schedule March 13, 2017 for second reading, public hearing and adoption of Ordinance No. 1095.

DISCUSSION: The Planning Commission and City staff continue to refine the language in the Unified Development Code (UDC) as the need arises. There are several areas of **Section 6.5 - Signs** that need to be addressed. Below are the topics for discussion followed by the proposed changes to code language.

Section 6.5.3. Prohibited Signs and Signing - Fluttering Signs:

The Planning Commission believed that fluttering banner, as depicted below, was being used as a way to circumvent the enforcement of the prohibition of fluttering signs and that language should be added to the UDC to prohibit these windblown banners.

SED



Fluttering Banners



Fluttering Sign

Section 6.5.3. B.7. In Relation to Sign Character - Billboard

The buildings located on the property sited on Rte. 50, between Byrn Street and Maryland Avenue known as the City's Gateway project, have been demolished and there is a temporary lawn in place.



Gateway Site on Rte. 50

While the removal of the buildings is a great improvement, the existing billboard remains as an impediment for any Gateway design on the site. Staff is in discussion with Clear Channel, the owner of the billboard. Clear Channel has indicated that they would be amenable to relocating the sign if a comparable site could be secured by the City. The City is looking at some sites. The existing language in the UDC prohibits billboards out right and would not allow any relocation. Additionally, the billboard is located on the State's scenic byway and is contrary to their goal to have these scenic designated travel routes free from billboards. The text amendment before you would allow for the relocation of this particular billboard off of the Gateway site and onto a location that is not within the State's scenic byway.

Section 6.5.4 B. 2. Sign Permitted Without Permit

Flags: Staff conducted sign enforcement last year for signs that were not permitted pursuant to the UDC, which included fluttering signs. The Commission felt that while the fluttering signs should not be permitted; flags should be allowed. The proposed language will provide parameters for flags on commercial properties.

Temporary Signs: The UDC speaks to temporary signs, but does not give any time parameters for these signs. This is proving problematic with the lengthy duration that these signs are displayed. The proposed language would provide specific time frames for this use.

Section 6.5.7

A. 1. Freestanding Single or Multi-Tenant Sign – Thru Lots

A thru lot is a property that has streets on two opposing lot frontages. The current language in the UDC limits the amount of signage on these lots to one free standing sign or if the lot is two acres or larger, it can have one additional free standing sign. This lot size requirement excludes many smaller lots in the

City that would benefit from signage along both street frontages. The Planning Commission believes that the size requirement should be eliminated and seeks to allow 2 freestanding signs all commercial thru lots.

- C. **2.Window Signs** This amendment would allow the commercial operators to calculate the window signage separate from the façade and freestanding signs.

Proposed Language

§ 6.5.3 Prohibited Signs and Signing

A. In Relation to Location

1. No signs shall be attached to utility poles, traffic signal poles, traffic control posts/signs, rocks, or trees visible from the public right-of-way whether on public or private property.
2. Except for official public way-finding signs and official directional, safety or traffic signs, no sign whether temporary or permanent shall be placed within any public rights-of-way within the City.
3. No sign shall be located which will interfere with traffic visibility along the right-of-way of any street or along any private driveway existing or entering a site or on any slope or drainage easement of a street.
4. No signs shall be located on or above any part of a roof structure.
5. No sign shall be located above the first floor on a building except in the General Commercial and Industrial districts upon approval of the Zoning Official or the Planning Commission. Applications for signs located above the first floor which are located in the Historic District shall be reviewed by the Planning Commission only after first obtaining a certificate of approval from the Historic Preservation Commission.
6. No sign or public art may be painted directly on any wall or roof of a building or on a fence visible from the public right-of-way that does not conform to the requirements of this Section.

B. In Relation to Sign Character

1. No sign shall project any intermittent, light emitting diode, or flashing illumination except for official public road or street signs intended to promote traffic safety.
2. Pennants, streamers, banners, moving, flashing, windblown and all other fluttering, spinning, or similar type signs which includes strings of light bulbs, balloons or other inflated objects are prohibited.
3. No flashing or rotating signs shall be permitted.
4. Except for official traffic signs, no sign shall be displayed, visible from the public right-of-way, which uses the words “stop” or “danger” or that implies a need for or requirement of stopping or the existence of danger.
5. Signs that are obscene, illegal, and hazardous to traffic, imitative of official government signs (i.e., Stop, Danger, Caution, etc.) or obstructive to public visibility, so as to create a hazard to the public, are prohibited.
6. Signs, attached to a parked motor vehicle, exceeding 12 square feet in area or the maximum allowable height for freestanding signs in the zoning district shall be prohibited. Signs attached to a motor vehicle, which exceed

four square feet but are less than 12 square feet, are allowed only under the following conditions:

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

7. **Billboard signs are prohibited.**

a. ~~but e-~~Conversions of legally non-conforming billboard signs to electronic digital display billboards may be approved subject to strict compliance with the following:

- i. The owner of an existing, legal non-conforming billboard may make application to the Commissioners of Cambridge to have an existing double sided billboard converted from a static display billboard to an electronic-digital display billboard on one side with one electronic-digital display message board, and to retain the single static display billboard on the other side;
- ii. An application for said conversion shall not be considered unless (i) the proposed conversion will result in the complete elimination and removal of at least two existing double-sided billboards and all related billboard support structures within the City of Cambridge; and (ii) the OWNER agrees to enter into a Billboard Conversion Agreement with the Commissioners of Cambridge;
- iii. The billboard being converted shall not be enlarged in any way;
- iv. The billboard structure being converted shall contain only one electronic-digital display screen which presents only one digital message at a time. The other side of the converted billboard structure may contain static billboard advertising of no greater size than that which existed prior to the conversion, and shall be maintained in good condition and repair.

b. Relocation of existing signs that are located along the State Scenic Byway may be relocated outside the byway, with a Special Exception and shall not be enlarged. The relocated sign may be sited on a leased portion of a property or a legal lot of record and is exempt from minimum lots size of that zone district.

C. In Relation to Safety, Condition and Neglect

1. No sign shall be permitted which becomes unsafe or endangers the safety of a building, premise, or person. The Zoning Official shall order such signs to be made safe, to be repaired, or to be removed and such order shall be complied with within seven days of the receipt of such order, unless the

condition is such that a shorter compliance period is required for public safety considerations.

2. Any property owner within the corporate limits of the City of Cambridge where a business has ceased or is terminated shall be responsible for the removal of all signs, posts, and standards and the building and grounds shall be restored to their original condition within thirty (30) days after notification by the Zoning Official of the City of Cambridge. If the sign is in compliance to current zoning and is in good condition, the property owner can petition to the Planning and Zoning Commission to retain and refurbish the structure.
3. All expenses incurred by the Zoning Official in taking down or removing any sign under this article shall be charged to the person responsible for such sign and shall constitute a lien on the property upon which such sign was installed as well, which shall be enforceable as a lien for taxes.
4. No sign shall be attached to a fire escape or installed in such a manner as to obscure any fire escape or any window or door or other means of egress.
5. No sign shall be permitted to remain which through damage, disrepair or lack of maintenance has become impaired in its functionality or blighted in its appearance. The Zoning Official shall order such sign to be repaired, replaced, or removed and such order shall be complied with within 45 days of the receipt of such order.
6. Failure to comply with the Zoning Official's order as provided in paragraphs 1 and 2 above shall result in the loss of any legal non-conforming status which may exist for the sign and require the sign to be removed and/or to come into compliance with this Ordinance.
7. When a sign structure does not include a sign for a period of 90 consecutive days, such sign structure shall be deemed a violation and shall be removed.

§ 6.5.4 Signs Permitted Without Permit

A. No Permit Required

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

1. Official traffic and parking signs provided they are erected by a governmental agency.
2. On site flags for commercial properties: There may be a maximum of 3 flags to a property that visually do not obstruct site distance, distract drivers or impede pedestrian passage.



Example of a flag

3. Temporary signs provided the following conditions are adhered to:
 - a. Temporary signs are signs that are time sensitive and can be in place 30 days before the event that they are announcing. Such events include grand openings, sales, introduction of new or seasonal products, and events/gatherings. Sign shall be removed no later than one week after the event.
 - b. Temporary signs cannot be affixed to a building or a structure in such a manner as to damage or permanently alter the building or structure.
 - c. The sign is no larger than 20 square feet in area and 8 feet in height, except that on lots in residential use or in the Residential district, no temporary sign shall exceed 4 square feet or 5 feet in height.
 - d. In the NC districts, the Residential district, and the Neighborhood and Gateway subdistricts of the Downtown/Waterfront Development district, no more than two temporary signs shall be permitted at the same time on a property except on properties displaying at least one legal non-temporary sign, excluding name and address signs provided for in § 6.5.4A (11). In such a case, the property shall be limited to only one temporary sign at a time.
 - e. In the Residential district and the Neighborhood and Gateway subdistricts of the Downtown/Waterfront Development district, temporary signs shall not be illuminated. Elsewhere, temporary signs that are to be illuminated shall first obtain a permit.
3. Within the Downtown/Waterfront Development district, Corridor Mixed-Use, General Commercial, Industrial, NC and Residential zones, one placard, easel-type, sandwich board or A-frame type sign per street frontage provided the following conditions are met:
 - a. The sign shall not exceed six square feet if one-sided (12 square feet if double-sided), or 4.5 feet in total height and two feet in width.
 - b. The sign shall not impede pedestrian traffic or vehicle visibility, shall be removed before nightfall, and if posted along a road with

speed limits greater than 35 miles per hour, it shall be placed at least 60 feet from the street right-of-way.

4. In the Corridor Mixed-Use, General Commercial, and Industrial districts, one sign associated with the opening of a development provided:
 - a. It is no greater than 100 square feet in size and no greater than 8 feet in height.
 - b. It is removed within 6 months of its installation. Reinstatement of the sign for up to an additional 6-month period following the initial 6-month period shall require a Sign Permit. Only two extensions shall be allowed.
5. In the NC districts and in the Residential, Institutional, Downtown/Waterfront Development, Open Space, and Resource Conservation districts, one sign associated with the opening of a development provided:
 - a. It is no greater than 32 square feet in size and no greater than 8 feet in height.
 - b. It is removed upon the dedication of associated public streets and/or utilities or within one year of its installation. Reinstatement of the sign for up to one one-year period following the expiration shall require a Sign Permit.
6. One portable sign that is in no way permanently affixed or installed in or to the ground or any structure provided the following conditions are adhered to:
 - a. It is no greater than four square feet in area and four feet in height.
 - b. It is located no closer than eight feet from any adjoining lot and ten feet from a public right-of-way.
 - c. It is not illuminated.
 - d. In zoning districts where total allowable sign area is limited by this Section, the area of this sign shall be included when calculating the maximum allowable sign area.
 - e. In zoning districts where the total number of signs is limited by this Section, this sign shall be included when calculating the maximum number of signs.
7. Signs accessory to parking lot uses provided the following conditions are adhered to:
 - a. Signs designating entrances and exits shall be limited to one sign per entrance and one per exit and neither sign shall exceed two square feet in area.
 - b. One additional sign limited to a maximum area of nine square feet is permitted which may be used to set forth conditions of use or identify the ownership of the parking area.
 - c. No such sign shall exceed six in height.
8. Commemorative plaques. Signs commemorating an historical building or site, its name register and/or erection date, when cut into or affixed to a permanent surface and not exceeding four square feet per building.
9. Interior signs. Signs located in excess of five feet inside and away from exterior windows, walls or doors of any building, mall, court, stadium or enclosed lobby, when such signing is intended for interior viewing.

10. Street number, address, and/or name. Two such signs for each building not exceeding one square foot each in the Residential district and three square feet each in all other zoning districts are allowed without a Sign Permit and shall not be counted against the maximum allowed number of signs permitted on a lot.
11. On-site directional signs and notices. Signs showing the location of public facilities within a site such as public telephones, restrooms, and underground utilities are allowed without a Sign Permit.
12. Official on-site legal notice signs required by public hearing notification, zoning or other applications for City approval as may be required by City Code.
13. Permanent historic markers approved by the Historic Preservation Commission.
14. Window displays and signs. Signs erected or suspended in the interior of a structure to be viewed from the outside provided the following conditions are adhered to:
 - a. No more than 50 percent of the window area is covered in signing.
 - b. The area of window signing shall be included in the count of maximum allowable sign area and sign number for the site.
 - c. No such sign shall be an internally lighted sign.

B. Non-Permit Signs Not Exempt from Regulations

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

§ 6.5.5 General Sign Standards

A. Standards are Maximum Allowable

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

B. Computations of Area and Height

1. Area

- a. Measurement of the area of a sign shall be based on the entire area of the sign with a continuous perimeter enclosing the extreme limits of the sign surface. For a sign consisting of letters or symbols attached to a building wall, or other surface, the area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop, surface or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or

wall when such fence or wall otherwise meets the requirements of this Ordinance and is clearly incidental to the display itself.

- b. When a sign consists of two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than 18 inches from each other. In this case, the sign area shall be determined by measuring either face and if such faces are unequal, the largest face shall be used.

2. Height

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.

3. Sight Visibility

- a. No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance or exit.
- b. A sight visibility triangle determined appropriate for the site by the city engineer upon request of the Planning Commission or Zoning Official shall be kept free of obstructions to vision between the heights of two and one-half feet and twelve feet above the street.

C. Illumination/Lighting of Sign

1. No internally lighted signs shall be permitted within the Residential, Institutional, Resource Conservation, or Open Space districts. Where illumination of a sign is permitted in these districts, it shall be permitted only by indirect means external to the sign face.
2. Electronic/Digital Signs are permitted in the General Commercial and Industrial districts upon approval of the Zoning Official and provided the following special standards are met:
 - a. Displays must use no more than three colors of light for entire sign display.
 - b. Graphics and/or animation are not allowed.
 - c. Intensity of speed of message may be determined by the Zoning Official.
 - d. The electronic message display may comprise no more than 35 percent of the face area.

§ 6.5.6 Standards Specific to the Residential Districts

Signs permitted in NC districts, the Residential district and the Neighborhood and Gateway subdistricts of the Downtown/Waterfront Development district shall be limited by the following:

- A. For Public, Open Space, Institutional Uses, Public Assembly, Townhouse and Multiple Family Uses
- B.
 - 1. One freestanding sign or wall sign is permitted, per road frontage meeting the following standards.
 - a. Maximum sign area is 32 square feet per sign face as provided in § 6.5.5 B1(b).
 - b. Maximum sign height is six feet except that a wall sign may reach eight feet.
 - c. Maximum distance from any other zoning lot is eight feet.
 - d. One Wall Mounted Sign is permitted with maximum letter height of 30 inches.
 - 2. No sign shall project into or over a public right-of-way.
- B. Subdivision or Community Entrance Signs
 - 1. One sign not exceeding 12 square feet may be located at each street entrance.
 - 2. The maximum sign height allowed is six feet.
- C. Home Occupations, Home Day Care, Bed and Breakfast Uses
 - 1. One freestanding sign per lot is permitted.
 - 2. Maximum sign area shall be four square feet.
 - 3. Maximum freestanding sign height shall be four feet.
 - 4. Maximum distance from a property line lot shall be ten feet.
 - 5. One wall-mounted plaque or nameplate sign is permitted provided it does not exceed two square feet in size and is made to be compatible in appearance with the building.

§ 6.5.7 Standards Specific to All Other Districts

Signs permitted in all districts except the NC districts, the Residential district and the Neighborhood and Gateway subdistricts of the Downtown/Waterfront Development district shall be limited by the following:

- A. Freestanding Single or Multi-Tenant Sign
 - 1. Only one freestanding single tenant sign or freestanding multi-tenant sign is permitted per site. An approved Sign Program may however provide for an additional freestanding single tenant sign and/or freestanding multi-tenant sign when a lot is a minimum of 2 acres or exceeds five acres in size or is greater than two acres and has two public street frontages on opposing property lines otherwise known as a thru lot. Signs shall be a minimum of 200 feet apart if from another sign on the same frontage from, when possible.

2. Freestanding single and/or multi-tenant signs shall not be located within parking lots if possible. The area of a freestanding single tenant sign shall not exceed 32 square feet. A freestanding multi-tenant sign shall not exceed ten (10) square feet. Such sign shall be placed on a continuous base that is at least as wide as the horizontal width of the sign it supports and shall be solid and designed as an architecturally integrated element of the sign.
3. The base of all freestanding single/multi-tenant signs shall be set back a minimum of ten feet from any property line. No part of a freestanding sign shall be located within or overhang into a public or private right-of-way, sidewalk, or adjoining property.
4. A landscaped area equivalent to the area of each side of a freestanding single/multi-tenant signs sign shall be maintained by the permit holder.
5. Freestanding single/multi-tenant signs shall not exceed a maximum height of eight feet, except that on any lot with public road frontage adjacent to a lot in the NC districts and/or the Residential district, the maximum height shall be six feet.
6. For lots with frontage on U.S. Route 50 or located in the Industrial district, the Planning Commission may authorize, upon approval of a Sign Program for qualifying projects, an increase in allowable freestanding single/multi-tenant sign area and height to a maximum of 50 square feet and 10 feet respectively provided the sign is set back at least 50 feet from the right-of-way of U.S. Route 50 and all signs, existing and proposed, are made to be conforming to the standards of this section.

B. Attached to Building

1. Signs attached to a building shall not project more than 18 inches from the face of the building. All such signs shall have a minimum clearance of eight (8) feet above the ground/sidewalk.
2. Wall mounted signs shall be no higher than the second floor windowsill on a building.
3. No single wall-mounted signs shall exceed 30 square feet in area except that on lots with frontage on U.S. Route 50 or in the Industrial district, the maximum area of a wall-mounted sign shall be computed as 1.0 square foot per building frontage up to a maximum of 60 square feet.
4. The provisions of this subsection are to include wall mounted multi-tenant signs.

C. Window Signs

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

1. No more than 50 percent of the window area is covered in signing.

2. The area of window signing shall be ~~excluded~~ ~~included~~ in the count of maximum allowable sign area and sign number for the site.

D. The Maximum Allowable Sign Area

1. The maximum allowable area for all signs excluding freestanding single/multi-tenant signs on a site shall be computed as follows:
 - a. Within the Core, General, and Center subdistricts of the Downtown/Waterfront Development district, the lesser of 1 square foot per linear building frontage on the public street or 50 square feet except where additional sign area is specifically authorized by the Historic Preservation Commission or in the case of a sign program, approved by the Planning Commission.
 - b. For lots with frontage on U.S. Route 50 or in the Industrial zone, 1.25 square feet per linear building frontage on the public street up to a maximum allowable area of 150 square feet except that each additional building frontage facing a secondary street may have up to 0.5 square foot of sign area per linear foot of the secondary street frontage ~~but~~ and such additional sign area shall only be used on that side of the building frontage or signs may distribute the allowable signage equally on the two frontages, if that total signage does not exceed the maximum allowed. Signs may be installed on sides of the building with no street frontage, such as facing parking lots, however, this signage will be included in the maximum area calculation and such sides do not receive the benefit of additional square footage.
 - c. For all other locations, 1.0 square foot per linear building frontage on the public street up to a maximum allowable area of 100 square feet, including free standing signs, except that each additional building frontage facing a street may have up to 0.5 square foot of sign area per linear foot of street frontage ~~but~~ and such additional sign area shall only be used on that side of the building frontage or signs may distribute the allowable signage equally on the two frontages, if that total signage does not exceed the maximum allowed. Signs may be installed on sides of the building with no street frontage, such as facing parking lots, however, this signage will be included in the maximum area calculation and such sides do not receive the benefit of additional square footage.
2. Multi-tenant signs may be permitted for the purpose of consolidating several signs into one sign structure. No separate on premise freestanding sign shall be permitted for site occupants that already have an identification panel on a multi-tenant sign. A multi-tenant sign shall be spaced at a minimum of 300 feet from another multi-tenant sign.
3. Shopping centers, industrial parks and office parks that do not have an approved Sign Program per § 6.5.2E shall be allowed one (1) freestanding sign or multi-tenant sign. Each tenant shall be allowed one wall sign not exceeding the square footage equal to one (1) square foot for each linear foot of store frontage.
4. Shopping centers, industrial parks, office parks and other developments that qualify for a sign program approval may be exempted from the maximum signage area limitation of § 6.5.2(E)1 provided the Planning Commission has approved a Sign Program per § 6.5.2E. The owner of any shopping center, industrial park or office park existing prior to the date of adoption of

this Ordinance may apply in writing to the Planning Commission for approval of a Sign Program which approval shall provide a schedule for bringing non-conforming signs into conformance with this Section within three years.

E. Special Standards by Sign Type

1. One marquee sign is permitted provided the sign area for the site does not exceed the maximum allowable sign area in that district and no additional signs are attached to the marquee sign.

PROPOSED ORDINANCE

ORDINANCE NO. 1095

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND, TO AMEND THE SIGNAGE REGULATIONS OF THE UNIFIED DEVELOPMENT CODE (UDC) SECTIONS 6.5.3, 6.5.4 and 6.5.7 AS FOLLOWS: (1) TO PROHIBIT WINDBLOWN BANNERS, (2) TO PERMIT, AS A SPECIAL EXCEPTION, THE RELOCATION OF NON-CONFORMING BILLBOARDS WITHIN THE STATE-DESIGNATED SCENIC BYWAY TO A LOCATION OUTSIDE OF SAID BYWAY, (3) TO ESTABLISH PARAMETERS FOR FLAGS, (4) TO DEFINE TEMPORARY SIGN DISPLAY LIMITATIONS, (5) TO ALLOW FREE-STANDING SIGNS FOR THRU LOTS, AND (6) TO ALLOW WINDOW SIGNAGE TO BE CALCULATED SEPARATELY FROM OTHER SITE SIGNAGE.

WHEREAS, upon consideration of the unanimous recommendation of the Planning and Zoning Commission following a public hearing before the commission held on February _____, 2017, and upon consideration of the recommendation of staff of the Department of Planning and Zoning, the comments made at a public hearing before City Council, held on March _____, 2017 the City Council finds that the proposed amendment is needed to promote and/or protect the public health, safety and welfare; and

WHEREAS, notice of the public hearing on the proposed text amendment was published in the Star Democrat on _____, and _____; and

WHEREAS, the amendment would modify the regulations applicable to signs and signage within the City.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of Cambridge, that the City's Unified Development Code is hereby amended as follows:

§ 6.5.3 Prohibited Signs and Signing

A. In Relation to Location

1. No signs shall be attached to utility poles, traffic signal poles, traffic control posts/signs, rocks, or trees visible from the public right-of-way whether on public or private property.
2. Except for official public way-finding signs and official directional, safety or traffic signs, no sign whether temporary or permanent shall be placed within any public rights-of-way within the City.
3. No sign shall be located which will interfere with traffic visibility along the right-of-way of any street or along any private driveway existing or entering a site or on any slope or drainage easement of a street.
4. No signs shall be located on or above any part of a roof structure.

5. No sign shall be located above the first floor on a building except in the General Commercial and Industrial districts upon approval of the Zoning Official or the Planning Commission. Applications for signs located above the first floor which are located in the Historic District shall be reviewed by the Planning Commission only after first obtaining a certificate of approval from the Historic Preservation Commission.
6. No sign or public art may be painted directly on any wall or roof of a building or on a fence visible from the public right-of-way that does not conform to the requirements of this Section.

B. In Relation to Sign Character

1. No sign shall project any intermittent, light emitting diode, or flashing illumination except for official public road or street signs intended to promote traffic safety.
2. Pennants, streamers, **banners**, moving, flashing, windblown and all other fluttering, spinning, or similar type signs which includes strings of light bulbs, balloons or other inflated objects are prohibited.
3. No flashing or rotating signs shall be permitted.
4. Except for official traffic signs, no sign shall be displayed, visible from the public right-of-way, which uses the words “stop” or “danger” or that implies a need for or requirement of stopping or the existence of danger.
5. Signs that are obscene, illegal, and hazardous to traffic, imitative of official government signs (i.e., Stop, Danger, Caution, etc.) or obstructive to public visibility, so as to create a hazard to the public, are prohibited.
6. Signs, attached to a parked motor vehicle, exceeding 12 square feet in area or the maximum allowable height for freestanding signs in the zoning district shall be prohibited. Signs attached to a motor vehicle, which exceed four square feet but are less than 12 square feet, are allowed only under the following conditions:
 - a. The vehicle is a registered, tagged, and operable vehicle and is parked in an approved parking space associated with the physical address of the sign applicant.
 - b. The area of the sign attached to a motor vehicle shall count against the allowable sign area and/or total number of signs for the site on which the vehicle is legally parked.
7. Billboard signs are prohibited.
 - a. ~~[[but-e]]~~ Conversions of legally non-conforming billboard signs to electronic digital display billboards may be approved subject to strict compliance with the following:
 - i. The owner of an existing, legal non-conforming billboard may make application to the Commissioners of Cambridge to have an existing double sided billboard converted from a static display billboard to an electronic-digital display billboard on one side with one electronic-digital display message board, and to retain the single static display billboard on the other side;

- ii. An application for said conversion shall not be considered unless (i) the proposed conversion will result in the complete elimination and removal of at least two existing double-sided billboards and all related billboard support structures within the City of Cambridge; and (ii) the OWNER agrees to enter into a Billboard Conversion Agreement with the Commissioners of Cambridge;
 - iii. The billboard being converted shall not be enlarged in any way;
 - iv. The billboard structure being converted shall contain only one electronic-digital display screen which presents only one digital message at a time. The other side of the converted billboard structure may contain static billboard advertising of no greater size than that which existed prior to the conversion, and shall be maintained in good condition and repair.
- b. **The relocation of existing billboard signs that are located along the State Scenic Byway may be relocated outside the byway, with the granting of a Special Exception, and shall not be enlarged. The relocated sign may be sited on a leased portion of a property or a legal lot of record and is exempt from minimum lots size of that zone district.**

C. In Relation to Safety, Condition and Neglect

- 1. No sign shall be permitted which becomes unsafe or endangers the safety of a building, premise, or person. The Zoning Official shall order such signs to be made safe, to be repaired, or to be removed and such order shall be complied with within seven days of the receipt of such order, unless the condition is such that a shorter compliance period is required for public safety considerations.
- 2. Any property owner within the corporate limits of the City of Cambridge where a business has ceased or is terminated shall be responsible for the removal of all signs, posts, and standards and the building and grounds shall be restored to their original condition within thirty (30) days after notification by the Zoning Official of the City of Cambridge. If the sign is in compliance to current zoning and is in good condition, the property owner can petition to the Planning and Zoning Commission to retain and refurbish the structure.
- 3. All expenses incurred by the Zoning Official in taking down or removing any sign under this article shall be charged to the person responsible for such sign and shall constitute a lien on the property upon which such sign was installed as well, which shall be enforceable as a lien for taxes.
- 4. No sign shall be attached to a fire escape or installed in such a manner as to obscure any fire escape or any window or door or other means of egress.
- 5. No sign shall be permitted to remain which through damage, disrepair or lack of maintenance has become impaired in its functionality or blighted in

its appearance. The Zoning Official shall order such sign to be repaired, replaced, or removed and such order shall be complied with within 45 days of the receipt of such order.

6. Failure to comply with the Zoning Official's order as provided in paragraphs 1 and 2 above shall result in the loss of any legal non-conforming status which may exist for the sign and require the sign to be removed and/or to come into compliance with this Ordinance.
7. When a sign structure does not include a sign for a period of 90 consecutive days, such sign structure shall be deemed a violation and shall be removed.

§ 6.5.4 Signs Permitted Without Permit

A. No Permit Required

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

1. Official traffic and parking signs provided they are erected by a governmental agency.
2. **On site flags for commercial properties: There may be a maximum of 3 flags to a property that visually do not obstruct site distance, distract drivers or impede pedestrian passage.**
3. Temporary signs provided the following conditions are adhered to:
 - a. **Temporary signs are signs that are time sensitive and can be in place 30 days before the event that they are announcing. Such events include grand openings, sales, introduction of new or seasonal products, and events/gatherings. Sign shall be removed no later than one week after the event.**
 - b. **Temporary signs cannot be affixed to a building or a structure in such a manner as to damage or permanently alter the building or structure.**
 - c. The sign is no larger than 20 square feet in area and 8 feet in height, except that on lots in residential use or in the Residential district, no temporary sign shall exceed 4 square feet or 5 feet in height.
 - d. In the NC districts, the Residential district, and the Neighborhood and Gateway sub-districts of the Downtown/Waterfront Development district, no more than two temporary signs shall be permitted at the same time on a property except on properties displaying at least one legal non-temporary sign, excluding name and address signs provided for in § 6.5.4A (11). In such a case, the property shall be limited to only one temporary sign at a time.
 - e. In the Residential district and the Neighborhood and Gateway sub-districts of the Downtown/Waterfront Development district, temporary signs shall not be illuminated. Elsewhere, temporary signs that are to be illuminated shall first obtain a permit.
3. Within the Downtown/Waterfront Development district, Corridor Mixed-Use, General Commercial, Industrial, NC and Residential zones, one

- placard, easel-type, sandwich board or A-frame type sign per street frontage provided the following conditions are met:
- a. The sign shall not exceed six square feet if one-sided (12 square feet if double-sided), or 4.5 feet in total height and two feet in width.
 - b. The sign shall not impede pedestrian traffic or vehicle visibility, shall be removed before nightfall, and if posted along a road with speed limits greater than 35 miles per hour, it shall be placed at least 60 feet from the street right-of-way.
4. In the Corridor Mixed-Use, General Commercial, and Industrial districts, one sign associated with the opening of a development provided:
- a. It is no greater than 100 square feet in size and no greater than 8 feet in height.
 - b. It is removed within 6 months of its installation. Reinstatement of the sign for up to an additional 6-month period following the initial 6-month period shall require a Sign Permit. Only two extensions shall be allowed.
5. In the NC districts and in the Residential, Institutional, Downtown/Waterfront Development, Open Space, and Resource Conservation districts, one sign associated with the opening of a development provided:
- a. It is no greater than 32 square feet in size and no greater than 8 feet in height.
 - b. It is removed upon the dedication of associated public streets and/or utilities or within one year of its installation. Reinstatement of the sign for up to one one-year period following the expiration shall require a Sign Permit.
6. One portable sign that is in no way permanently affixed or installed in or to the ground or any structure provided the following conditions are adhered to:
- a. It is no greater than four square feet in area and four feet in height.
 - b. It is located no closer than eight feet from any adjoining lot and ten feet from a public right-of-way.
 - c. It is not illuminated.
 - d. In zoning districts where total allowable sign area is limited by this Section, the area of this sign shall be included when calculating the maximum allowable sign area.
 - e. In zoning districts where the total number of signs is limited by this Section, this sign shall be included when calculating the maximum number of signs.
7. Signs accessory to parking lot uses provided the following conditions are adhered to:
- a. Signs designating entrances and exits shall be limited to one sign per entrance and one per exit and neither sign shall exceed two square feet in area.

- b. One additional sign limited to a maximum area of nine square feet is permitted which may be used to set forth conditions of use or identify the ownership of the parking area.
 - c. No such sign shall exceed six in height.
- 8. Commemorative plaques. Signs commemorating an historical building or site, its name register and/or erection date, when cut into or affixed to a permanent surface and not exceeding four square feet per building.
- 9. Interior signs. Signs located in excess of five feet inside and away from exterior windows, walls or doors of any building, mall, court, stadium or enclosed lobby, when such signing is intended for interior viewing.
- 10. Street number, address, and/or name. Two such signs for each building not exceeding one square foot each in the Residential district and three square feet each in all other zoning districts are allowed without a Sign Permit and shall not be counted against the maximum allowed number of signs permitted on a lot.
- 11. On-site directional signs and notices. Signs showing the location of public facilities within a site such as public telephones, restrooms, and underground utilities are allowed without a Sign Permit.
- 12. Official on-site legal notice signs required by public hearing notification, zoning or other applications for City approval as may be required by City Code.
- 13. Permanent historic markers approved by the Historic Preservation Commission.
- 14. Window displays and signs. Signs erected or suspended in the interior of a structure to be viewed from the outside provided the following conditions are adhered to:
 - a. No more than 50 percent of the window area is covered in signing.
 - b. The area of window signing shall be included in the count of maximum allowable sign area and sign number for the site.
 - c. No such sign shall be an internally lighted sign.

B. Non-Permit Signs Not Exempt from Regulations

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

§ 6.5.5 General Sign Standards

A. Standards are Maximum Allowable

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

B. Computations of Area and Height

1. **Area**
 - a. Measurement of the area of a sign shall be based on the entire area of the sign with a continuous perimeter enclosing the extreme limits of the sign surface. For a sign consisting of letters or symbols attached to a building wall, or other surface, the area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop, surface or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the requirements of this Ordinance and is clearly incidental to the display itself.
 - b. When a sign consists of two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than 18 inches from each other. In this case, the sign area shall be determined by measuring either face and if such faces are unequal, the largest face shall be used.

2. **Height**

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zoning lot, whichever is lower.

3. **Sight Visibility**
 - a. No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance or exit.
 - b. A sight visibility triangle determined appropriate for the site by the city engineer upon request of the Planning Commission or Zoning Official shall be kept free of obstructions to vision between the heights of two and one-half feet and twelve feet above the street.

C. Illumination/Lighting of Sign

1. No internally lighted signs shall be permitted within the Residential, Institutional, Resource Conservation, or Open Space districts. Where

illumination of a sign is permitted in these districts, it shall be permitted only by indirect means external to the sign face.

2. Electronic/Digital Signs are permitted in the General Commercial and Industrial districts upon approval of the Zoning Official and provided the following special standards are met:
 - a. Displays must use no more than three colors of light for entire sign display.
 - b. Graphics and/or animation are not allowed.
 - c. Intensity of speed of message may be determined by the Zoning Official.
 - d. The electronic message display may comprise no more than 35 percent of the face area.

§ 6.5.6 Standards Specific to the Residential Districts

Signs permitted in NC districts, the Residential district and the Neighborhood and Gateway sub-districts of the Downtown/Waterfront Development district shall be limited by the following:

- A. For Public, Open Space, Institutional Uses, Public Assembly, Townhouse and Multiple Family Uses
- B.
 1. One freestanding sign or wall sign is permitted, per road frontage meeting the following standards.
 - a. Maximum sign area is 32 square feet per sign face as provided in § 6.5.5 B1(b).
 - b. Maximum sign height is six feet except that a wall sign may reach eight feet.
 - c. Maximum distance from any other zoning lot is eight feet.
 - d. One Wall Mounted Sign is permitted with maximum letter height of 30 inches.
 2. No sign shall project into or over a public right-of-way.
- B. Subdivision or Community Entrance Signs
 1. One sign not exceeding 12 square feet may be located at each street entrance.
 2. The maximum sign height allowed is six feet.
- C. Home Occupations, Home Day Care, Bed and Breakfast Uses
 1. One freestanding sign per lot is permitted.
 2. Maximum sign area shall be four square feet.
 3. Maximum freestanding sign height shall be four feet.
 4. Maximum distance from a property line lot shall be ten feet.

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

§ 6.5.7 Standards Specific to All Other Districts

Signs permitted in all districts except the NC districts, the Residential district and the Neighborhood and Gateway sub-districts of the Downtown/Waterfront Development district shall be limited by the following:

A. Freestanding Single or Multi-Tenant Sign

1. Only one freestanding single tenant sign or freestanding multi-tenant sign is permitted per site. An approved Sign Program may however provide for an additional freestanding single tenant sign and/or freestanding multi-tenant sign when a lot ~~[[is a minimum of 2 acres or exceeds five acres in size or is greater than two acres and]]~~ has two public street frontages **on opposing property lines, otherwise known as a thru lot. Under such condition, signs shall be located a minimum of 200 feet apart from another sign on the same frontage, when possible.**
2. Freestanding single and/or multi-tenant signs shall not be located within parking lots if possible. The area of a freestanding single tenant sign shall not exceed 32 square feet. A freestanding multi-tenant sign shall not exceed ten (10) square feet. Such sign shall be placed on a continuous base that is at least as wide as the horizontal width of the sign it supports and shall be solid and designed as an architecturally integrated element of the sign.
3. The base of all freestanding single/multi-tenant signs shall be set back a minimum of ten feet from any property line. No part of a freestanding sign shall be located within or overhang into a public or private right-of-way, sidewalk, or adjoining property.
4. A landscaped area equivalent to the area of each side of a freestanding single/multi-tenant signs sign shall be maintained by the permit holder.
5. Freestanding single/multi-tenant signs shall not exceed a maximum height of eight feet, except that on any lot with public road frontage adjacent to a lot in the NC districts and/or the Residential district, the maximum height shall be six feet.
6. For lots with frontage on U.S. Route 50 or located in the Industrial district, the Planning Commission may authorize, upon approval of a Sign Program for qualifying projects, an increase in allowable freestanding single/multi-tenant sign area and height to a maximum of 50 square feet and 10 feet respectively provided the sign is set back at least 50 feet from the right-of-way of U.S. Route 50 and all signs, existing and proposed, are made to be conforming to the standards of this section.

B. Attached to Building

1. Signs attached to a building shall not project more than 18 inches from the face of the building. All such signs shall have a minimum clearance of eight (8) feet above the ground/sidewalk.
2. Wall mounted signs shall be no higher than the second floor windowsill on a building.
3. No single wall-mounted signs shall exceed 30 square feet in area except that on lots with frontage on U.S. Route 50 or in the Industrial district, the maximum area of a wall-mounted sign shall be computed as 1.0 square foot per building frontage up to a maximum of 60 square feet.
4. The provisions of this subsection are to include wall mounted multi-tenant signs.

C. Window Signs

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

1. No more than 50 percent of the window area is covered in signing.
2. The area of window signing shall be excluded ~~[[included]]~~ in the count of maximum allowable sign area and sign number for the site.

D. The Maximum Allowable Sign Area

1. The maximum allowable area for all signs excluding freestanding single/multi-tenant signs on a site shall be computed as follows:
 - a. Within the Core, General, and Center sub-districts of the Downtown/Waterfront Development district, the lesser of 1 square foot per linear building frontage on the public street or 50 square feet except where additional sign area is specifically authorized by the Historic Preservation Commission or in the case of a sign program, approved by the Planning Commission.
 - b. For lots with frontage on U.S. Route 50 or in the Industrial zone, 1.25 square feet per linear building frontage on the public street up to a maximum allowable area of 150 square feet except that each additional building frontage facing a secondary street may have up to 0.5 square foot of sign area per linear foot of the secondary street frontage ~~but~~ and such additional sign area shall only be used on that side of the building frontage or signs may distribute the allowable signage equally on the two frontages, if that total signage does not exceed the maximum allowed. Signs may be installed on sides of the building with no street frontage, such as facing parking lots, however, this signage will be included in the maximum area calculation and such sides do not receive the benefit of additional square footage.
 - c. For all other locations, 1.0 square foot per linear building frontage on the public street up to a maximum allowable area of 100 square feet, including

free standing signs, except that each additional building frontage facing a street may have up to 0.5 square foot of sign area per linear foot of street frontage ~~but~~ and such additional sign area shall only be used on that side of the building frontage or signs may distribute the allowable signage equally on the two frontages, if that total signage does not exceed the maximum allowed. Signs may be installed on sides of the building with no street frontage, such as facing parking lots, however, this signage will be included in the maximum area calculation and such sides do not receive the benefit of additional square footage.

2. Multi-tenant signs may be permitted for the purpose of consolidating several signs into one sign structure. No separate on premise freestanding sign shall be permitted for site occupants that already have an identification panel on a multi-tenant sign. A multi-tenant sign shall be spaced at a minimum of 300 feet from another multi-tenant sign.
3. Shopping centers, industrial parks and office parks that do not have an approved Sign Program per § 6.5.2E shall be allowed one (1) freestanding sign or multi-tenant sign. Each tenant shall be allowed one wall sign not exceeding the square footage equal to one (1) square foot for each linear foot of store frontage.
4. Shopping centers, industrial parks, office parks and other developments that qualify for a sign program approval may be exempted from the maximum signage area limitation of § 6.5.2(E)1 provided the Planning Commission has approved a Sign Program per § 6.5.2E. The owner of any shopping center, industrial park or office park existing prior to the date of adoption of this Ordinance may apply in writing to the Planning Commission for approval of a Sign Program which approval shall provide a schedule for bringing non-conforming signs into conformance with this Section within three years.

E. Special Standards by Sign Type

1. One marquee sign is permitted provided the sign area for the site does not exceed the maximum allowable sign area in that district and no additional signs are attached to the marquee sign.

AND BE IT FURTHER enacted and ordained that this Ordinance shall become effective on the tenth (10th) day following the date of adoption.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Sandra Tripp-Jones
City Manager

By: _____
Victoria Jackson-Stanley, Mayor

Introduced the 27TH day of **February, 2017**
Adopted the _____ day of **March, 2017**
Effective the _____ day of **March, 2017**

NOTE: Word(s) being underscored in bold type are the proposed new word(s) to be added to the City Code of Laws; and word(s) enclosed in double brackets and struck through are proposed to be eliminated from the existing provisions of the City Code of Laws.