

Planning and Development Committee
March 6, 2013
6:00 PM
Council Chambers
AGENDA

1. Approval of February 6, 2013 Minutes
2. Committee Applications
3. Updates
 - A. Marina Project
4. Old Business
 - A. Sign Ordinance
5. New Business:
 - A. Hampden Academy Property Development Discussion
 - B. Executive Session pursuant to 1 M.R.S.A. §405(6)(C) to discuss an economic development proposal.
 - C. Old Academy Name Suggestion
 - D. Enforcement Discussion (Local-State)
6. Comprehensive Plan Implementation
 - A. Request from Frost's Garage
 - B. Priority Recommendation for Zoning Amendments
7. Citizens Initiatives:
8. Public Comments:
9. Committee Member Comments:
10. Adjourn

**Planning and Development Committee
February 6, 2013
6:00 PM
Council Chambers
MINUTES**

Attendees:	<u>Committee</u>	<u>Staff</u>	<u>Guests</u>
	Tom Brann Janet Hughes Jean Lawlis William Shakespeare	Dean Bennett Bob Osborne	James Davitt Kristen McNutt Dan Lafayette Carla Lafayette Jackie Rawcliffe

1. December 19, 2013 Minutes – Approved

2. Committee Interviews

Motion: To recommend the re-appointment of the following individuals. Vote 3-0

Morten Syversen – Planning Board
Michael Avery – Planning Board
Peter Frazier – Planning Board
Mike Pullen – Historic Preservation Commission

Motion: To recommend the appointment of the following individuals. Vote 3-0

James Davitt – Planning Board
Kristen McNutt – Historic Preservation Commission

3. Updates

The Committee decided to make the Draft Sign Ordinance a priority on the next Planning and Development Agenda scheduled for March 6, 2013.

CEDD advised the Committee that Noreen Norton will be working with them on the allocation of captured funds for the Bangor Hydro TIF. Bangor Hydro has offered to cover her expenses.

4. Old Business

A. Hampden Business Park RFP Final Draft

Motion: To forward the proposed RFP for the Hampden Business Park to full Council with recommendation to approve, with timeframe for issuing determined by staff. Vote 4-0

5. New Business

A. Hampden Academy Property RFP Draft

6:45pm

Motion was made to enter into Executive Session pursuant to 1 M.R.S. §405(6)(C) to discuss an economic development proposal. Present at the Executive Session to be the following:

Tom Brann	William Shakespeare
Janet Hughes	Jean Lawlis
Dean Bennett	Dan Lafayette
Carla Lafayette	Jackie Rawcliffe

8:03pm

Motion made to end Executive Session

Committee Action: Motion made and seconded to ask the CEDD and Mr. Lafayette to continue discussions with regard to the potential development of the former Hampden Academy property and at a future date present to the Committee a proposed agreement for consideration. Vote: 4-0

6. Comprehensive Plan Implementation

A. Request by Herb Frost

7. Citizens Initiative

8. Public Comments

9. Committee Member Comments

10. Adjourned @ 9:00pm

zone use

Herb Frost <pappiecadillac@gmail.com>

Mon, Jan 7, 2013 at 12:09 PM

To: economicdevelopment@hampdenmaine.gov

We are interested in a change for permitted use or rezoning property at 46, 48 & 50 Western Avenue Hampden. We wish for the zone to allow greater use for future development. We operate Frost's Garage at this location. The business was started in February, 1934. Thank you for your consideration. Sincerely, Herbert & Ivan Frost

Fwd: Name Proposal

Susan Lessard <manager@hampdenmaine.gov>

Wed, Feb 20, 2013 at 2:39 PM

To: Bill Shakespeare <shakespearetowncouncil@hampdenmaine.gov>, "carolduprey@hotmail.com" <carolduprey@hotmail.com>, Denise <clerk@hampdenmaine.gov>, Janet Hughes <hughestowncouncil@hampdenmaine.gov>, Jean Lawlis <lawlistowncouncil@hampdenmaine.gov>, Shelby Wright <wrighttowncouncil@gmail.com>, "Thomas A. Russell" <tar@frrlegal.com>, Tom Brann <branntowncouncil@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>
Cc: Folsom <jfolsom3@roadrunner.com>

Good evening-

Last night Councilor Brann asked for suggestions for a new name for the old Hamdpen Academy property - Mr. Folsom was watching the Council meeting and has made a suggestion. I am forwarding it to all of you on the Council as well as to Dean for discussion at Planning & Development.
Sue

----- Forwarded message -----

From: **Folsom** <jfolsom3@roadrunner.com>
Date: Tue, Feb 19, 2013 at 7:49 PM
Subject: Name Proposal
To: Susan Lessard <manager@hampdenmaine.gov>

Susan - In my readings about Hampden history I have run-across several references to "Academy Hill" to connote the "Old Academy " area between the shopping area and David Greeniers house. It was the site of the 1814 Battle because it was a hill. This gives you a refreshed name to refer to that area while still connecting to the past. Jim F

Jim Folsom
43 Highland Ridge Drive
Hampden ME 04444
[207-862-8033](tel:207-862-8033)



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Outreach of Sign Ordinance Recommendations to Businesses
DATE: December 19, 2012

I have spoken to a number of local businesses about signage and their observations regarding needed changes. The following is a summary of changes recommended by one or more parties:

Create flexibility for the rules on sign setbacks on older developed sites. These would be primarily be related to location requirements. For example if a building is close to the street it may not be feasible to set back a freestanding sign in accordance with the ordinance. In such cases give the code officer authority to move the sign to the most practicable location. Also allow signage on a neighboring parcel (with a lease of course) where placement of a fully compliant sign would be ineffective.

Allow larger/taller shopping center signs in the Village Commercial districts. The 15 foot limit on shopping center signs creates a situation where the individual tenants of the shopping center cannot have an effective amount of sign area. By increasing the height of such signs the amount of area can be increased in a meaningful way. Also increase the amount of signage area to better accommodate the number of tenants of the development.

Increase the amount of permitted sign area for buildings with more than one tenant. The purpose of this is to make certain that the sign area for each tenant is readable from the highway.

Increase the amount of signage allowable for corner lots where a sign must be seen from more than one street. The purpose of this is that some locations are different than others and to have some flexibility would help a business craft a sign that works for their location.

Increase the amount of signage allowable for either moveable signs or readerboard signs to accommodate a reasonable amount of area needed to have a readerboard or movable sign.

Allow back lighted signage in the Village Commercial Districts and allow larger signage in the districts.



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Amendments for Sign Provisions and a Draft Sign Ordinance
DATE: October 31, 2011

At a Council Planning and Development Committee meeting this summer there was a vote for staff to develop a freestanding sign ordinance and to provide the committee with a draft set of amendments for the zoning ordinance to remove sign provisions from that ordinance. That was provided to the committee in June. Please find attached copies of both documents. Subsequently it was discussed that perhaps some sort of graphics could be added to the document to help visualize the intent of the regulations. We have provided an example graphic showing the building and freestanding sign size relative to their surroundings in a three-dimensional form for your review.

**DRAFT
TOWN OF HAMPDEN
SIGN ORDINANCE**

**ARTICLE 1
GENERAL PROVISIONS**

1.0. Purpose and Authority. Signs provide vital information to the public, assist in the response and rescue of public safety and engender a sense of place. The intent of this Ordinance is to preserve the value of property, protect the public health, safety and welfare, and promote the visual quality of the urban and rural environment within the Town of Hampden, Maine. It is the further intent of this Ordinance to make all signs a harmonious complement and appropriate in scale and appearance to the structure to which they are attached. It is also the intent of this Ordinance that signs public and private, not obstruct or otherwise disrupt the vision of drivers on public or private roadways because of sign location, size or illumination.

This Ordinance is adopted pursuant to and consistent with Maine Home Rule Powers as provided for in Article VIII, Part 2, §1 of the State of Maine Constitution; Title 30-A M.R.S.A. § 3001; and the Hampden Town Charter. The following provisions shall apply to signs in all districts where permitted.

1.1. Scope. This Ordinance shall be known and may be cited as "Hampden Sign Ordinance".

1.2. Matters Covered. This Ordinance relates to the erection, construction or maintenance of signs erected or to be erected in the Town of Hampden. If this Ordinance conflicts with the Hampden Zoning Ordinance the provisions of this Ordinance shall control.

1.3. Ordinance Remedial. This Ordinance is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purpose thereof, which are to promote maximum safety, comfort and well-being of the highway user, to preserve and enhance aesthetic features of highways and to prevent unreasonable distraction.

1.4. All New Work to Conform. No sign shall be hereinafter erected, altered, relocated, removed or replaced except in conformity with the provisions of this Ordinance.

1.4.1. Alterations to Conform. No sign shall be altered in any manner that would be in violation of the provisions of this Ordinance or of any authorized rule or approval of the Code Enforcement Officer made and issued thereunder.

**ARTICLE 2
SIGN PERMITS**

2.0 Sign Permits - Application for a sign permit must follow procedure as described herein

2.1. Sign Permit Required - An application shall be submitted to the Code Enforcement Officer for erection of a sign or changing the exterior dimensions of a sign and these activities shall not commence in the Town of Hampden without a permit being issued.

2.2. Conformity. No sign permit shall be issued except in conformity with the provisions of this Ordinance.

2.3. Permit Decision Process. Within fourteen (14) days of the filing of an application for a sign permit, the Code Enforcement Officer shall approve or deny such application or shall refer the applicant to the Board of Appeals. The decision shall be in writing and communicated directly to the applicant. In the case of a denial of an application, the decision shall include reasons for such. One (1) copy of the Code Enforcement Officer's decision shall be filed in the municipal office.

2.4. Standing. No sign permit shall be issued except to the owner of record thereof, or his authorized agent.

2.5. Application Requirements. The Code Enforcement Officer may require that any application for such a permit shall be accompanied by a plan, accurately drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact location and size of the proposed sign and general outline of buildings or structures already on the lot, and other such information as may be necessary to provide for the execution and enforcement of this Ordinance.

2.6. Public Records. Applications for permits with their accompanying plans shall be maintained as a permanent record by the Code Enforcement Officer.

2.7. Expiration of Permits. A sign permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within six (6) months of the date on which the permit is granted, or if the work or change is not substantially completed within two (2) years of the date on which the permit is granted.

2.8. Fee Required. No sign permit shall be issued without payment of fees in accordance with the Town of Hampden Fees Ordinance.

2.9. Required Information on Plans - Application for the establishment of uses requiring sign permit shall be accompanied by plans, drawn to scale, of both a plan view of the proposed sign and its relationship with property lines and other improvements as well as an elevation drawing of the sign that details its dimensional characteristics. Such application shall also contain the sign's lighting characteristics.

2.10. Exceptions: Signs Not Requiring a Permit – The following signs shall be allowed in all districts without a permit:

2.10.1. Real estate signs - The following signs relating to the sale, rental or lease of a premises may be displayed on the premises which is available for sale, rent or lease.

2.10.1.1. Freestanding Sign - A single freestanding sign, not over five (5) square feet in area.

2.10.1.2. Wall Sign - A single wall sign not over three (3) square feet in area.

All such signs shall be removed when PURPOSE IS FULFILLED.

2.10.2. Posting signs - Signs relating to trespassing and hunting.

2.10.3. Residential identification signs - A single sign denoting the name and/or address of the occupants of a residential premises. Such sign shall not exceed four (4) square feet in area; or One sign naming the premises where located. Such sign shall not exceed six (6) square feet if it is a wall sign, or four (4) square feet if it is a freestanding sign. (Examples: Twin Oaks, Fox Fire, Kinsley House, etc.).

2.10.4. Tradesman signs - A single sign, placed on the premises where construction, repair, or

renovation is in progress, which denotes the architect, engineer, contractor, and/or funding source for the work in progress. Such sign shall not exceed sixteen (16) sq.ft. in area and shall be removed when the work is completed. Federal and state government-mandated signs are exempt.

2.10.5. Traffic signs - Signs providing traffic and directional information to the public.

2.10.6. Temporary for sale signs - Residential users may display a single temporary sign, not over four (4) sq.ft. in area, relating to goods or services for sale on the premises, if such sale does not constitute either a business, a home occupation, or a yard sale. Examples of sales falling under this provision are the sale of a used vehicle, the sale of a used appliance, or other occasional sales.

2.10.7. Temporary event signs - Temporary signs announcing public and semi-public occasional events, political campaigns, candidates, etc. Such signs shall be displayed not more than two (2) weeks before the event and shall be removed within one (1) week after the event. Signs established more than two weeks prior to the announced event shall be deemed unlawful and are subject to removal under *Article 6.1.2*.

2.10.8. Official Business Directional Sign - Official Business Directional Signs located in conformity with *23 M.R.S.A. § 1901-1925* of the Maine Traveler Information Services Law, and any rules and regulations promulgated thereunder by the State of Maine Department of Transportation.

ARTICLE 3 STRUCTURE AND DESIGN

3.0. Structure and Design Standards. All on-premise signs established after the effective date of this ordinance shall conform to the following structure and design standards.

3.1. Freestanding signs to be firmly affixed to the ground. Any freestanding sign 16 sq ft in area or larger shall be installed in a manner that includes anchoring in the ground with a permanent concrete foundation.

3.2. Projecting signs in pedestrian areas to have minimum ground clearance. Any projecting sign located in an area where pedestrians would walk under it must have a ground clearance of no less than 7 feet from the pedestrian way.

3.3. Visual clearance required in these instances: Where freestanding sign locations could obscure vehicular or pedestrian movements in locations such as public or private streets, driveways, parking lots or corner lots such sign faces shall be either less than four feet in height above the ground or they shall be on posts or pedestal that elevates the sign face to create a 7 foot visual clearance from the ground so that pedestrian and vehicular movement is not obscured.

3.4. Visual distraction - Flashing, moving, or animated signs are prohibited. No sign shall be erected adjacent to any public way that could be confused with any authorized traffic sign, or device or otherwise constitute a hazard to pedestrian or vehicular traffic.

3.5. Freestanding signs near driveway locations: Freestanding signs shall be located near the entrance driveway of the subject building to assist the traveling public in identifying the general location of the vehicular entrance of the lot. However, if it can be demonstrated through photographs that strict application of this standard would not result in an effective location for the freestanding sign alternative locations are permissible.

3.6. Shopping center signs. Shopping centers, as defined, may provide each store or tenant with a wall, projecting, or roof sign in a size in accordance with the district where the shopping center is located. (Roof signs are not allowed in certain districts). Additionally shopping centers may establish freestanding sign in accordance with the district where the shopping center is located. Each shopping center may display a shopping center sign naming the shopping center and identifying the tenants premises. The main panel of the freestanding shopping center sign, which names and gives general information about the shopping center shall be sized in accordance with the district standards where the shopping center is located. In addition, each tenant in the shopping center may display as an element of the shopping center sign an element identifying the name of the store or shop and services it provides. Such tenant sign shall not exceed six (6) square feet in area but shall be of a size adequate to read the name of the tenant as described in Article 3.8.

3.7. Street number required. All freestanding signs shall have the street number of the subject building's location either as an element of each face of the sign or affixed to a support post of the freestanding sign in such a way that the street number is easily identified by the traveling public on the street in either direction of travel.

3.8. Signs to be legible to the traveling public: Company or premises name shall be of minimum vertical letter size appropriate to speed limit of the street on which it is located: 25 mph requires minimum 4" tall letters, 35 mph requires minimum 5" letters, and 45 mph requires minimum 6" letters as specified by the National Sign Council. (Letter heights taller than the ordinance minimum are encouraged). Freestanding signs for multiple tenancy buildings and shopping center signs must conform to this standard for each tenant appearing on the sign. No other information on the sign is subject to this requirement. Sans serif fonts are highly recommended and script fonts are to be discouraged. Notwithstanding these requirements for letter sizes if it can be demonstrated that satisfying the requirement is not feasible alternative smaller sizes are permissible.

3.9. Illumination requirements. The following standards shall apply regarding the lighting of signs.

3.9.1. Direct illumination: Lighting shall be designed in such a way that the light bulb is generally not visible from either the subject premises or off-site including the street and neighboring properties. Typically the light bulb would be obscured by the utilization of a shade, box or can. Direct illumination can utilize any type of bulb (incandescent or florescent) but must not be of an intensity that creates unreasonable glare.

3.9.2. Back lighting or indirect illumination: Back lighting or indirect illumination of signs shall be designed in such a way to emphasize lighting of the text of the sign at night. Such lighting must not be of an intensity that creates unreasonable glare.

3.10. Canopies and Awnings: Canopies and awnings function as signs when they contain text and or graphics that are iconic and corporate in nature such as but not limited to multi-color stripes or symbols. Such text and graphical designs applied to canopies are permissible in commercial and industrial districts within the Town of Hampden however they count against the total signage area permitted within the zoning district where the sign is located.

3.11. Roof signs - Roof signs shall not extend more than ten (10') feet above the roofline.

3.12. Readerboard Signs. Signs provide vital information to the community therefore where permitted freestanding signs may have an electronic readerboard element as well as a fixed portion of the signage that provides the place information. The readerboard element is intended to convey information of

interest to citizens and members of the general public. The overall size of such dedicated readerboard element of signage shall not exceed 20 square feet. Such readerboards shall be designed in such a way that the display is monochrome in nature and the display may have a changeable message but it may not exceed the state standards for the rate at which the message changes. Location of readerboard signs shall be the same as freestanding signs.

3.13. Moveable Signs. Signs provide vital information to the community therefore where permitted freestanding signs may have moveable sign element as well as a fixed portion of the signage that provides the place information. The moveable element is intended to convey information of interest to the general public. The overall size of such a dedicated moveable sign shall not exceed 20 square feet. Location of moveable signs shall be the same as freestanding signs.

ARTICLE 4 OFF-PREMISES SIGNS

4.0. Off-Premises Signs - No off-premises signs shall be erected or maintained in the Town of Hampden except for the following types of signs.

4.1. Travelers Advisory Signs. Signs erected in conformity with 23 MRSA Sections 1901-1925 of the *Maine Traveler Information Services Law* and any rules and regulations promulgated thereunder by the state of Maine Department of Transportation. Without limiting the generality of the foregoing sentence, off-premises. Official business directional signs may be located in the Town of Hampden in such locations and in such a manner as allowed under 23 MRSA Sections 1901-1925 and any rules and regulations of the State of Maine Department of Transportation. Provided, however, that off-premises official business directional signs for home occupations are prohibited. Authorization for official business directional signs shall be obtained from the Public Works Director.

4.2. Exception for commercial/business approach signs. With the exception of Residential A, Residential B and Rural District, any business or facility whose principal building, or a point of interest, which is located on a public way more than 1,500 feet from the nearest principal arterial road, may erect an approach sign with a surface area not to exceed four square feet on either side of the sign. These signs may be located within the right-of-way limits of the principal arterial road, within 300 feet of the junction of the principal arterial road and the road on which the business is located. This does not apply to home occupations.

4.3. Exception for property identification numbers - Each residential premises is allowed a mailbox with the identification number of the property clearly marked on it. If the mail box is on the opposite side of the street from the house or if there is no mailbox, the premises is also allowed an MDOT approved sign post, or similar structure, with numbers that meet the standards of subparagraph a below. Such signs are also allowed on an adjacent parcel with written permission of the landowner.

4.3.1. Non-residential identification number - All non residential uses must display the identification number of the property. The area required by the number is not included in the calculation of the total square footage of the sign.

4.3.2. Identification number location and appearance - Approved address numbers shall be placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

4.4. Exception for commercial/industrial subdivision entrance sign - In Planning Board approved Commercial or Industrial Subdivisions a sign marking each public street entrance shall be permitted. Such signs shall be limited to 70 square feet per face and shall only contain the name of the subdivision, the name of the public subdivision's street, and owner identification information. The sign may be located in the raised median of the entrance street provided that it is at least 20 feet from the nearest perpendicular traveled way and the sign itself creates no visual barrier from the ground up to a height of 6 feet.

4.5. Exception for commercial/industrial subdivision directory sign - In Planning Board approved Commercial or Industrial Subdivisions a directory sign marking tenants in the subdivision located near each public street entrance shall be permitted. Such signs shall: be unlighted, be limited to 50 square feet per face, not exceed five feet in height, and shall only contain the name of subdivision, information about the subdivision's management, and the name and address of each subdivision's tenant. The sign may be located in the public right of way provided that it is at least 100 feet from the entrance and does not create a visual barrier to individual lot entrances.

4.6. Temporary event signs - Temporary signs announcing public and semi-public occasional events, political campaigns, candidates, etc. Such signs shall be displayed not more than two (2) weeks before the event and shall be removed within one (1) week after the event. Signs established more than two weeks prior to the announced event shall be deemed unlawful and are subject to removal under *Article 6.1.2*.

ARTICLE 5 ON-PREMISES SIGNS

5.0. On-premises signs - All on-premises signs shall be located and erected in conformity with State Law (*23 MRSA Sections 1901-1925 and any rules and regulations promulgated thereunder by the State of Maine Department of Transportation*). On-premises signs shall conform to the regulations contained in Article 2 and Article 3 of this Ordinance as well as in conformance with the following regulations:

3.11. Roof signs - Roof signs shall not extend more than ten (10') feet above the roofline.

5.3. Height limit - No sign shall exceed twenty-five (25') feet in height.

5.4. Size limit - No sign shall exceed the maximum sign size for the district in which the sign is placed. Freestanding signs are sized on the basis of one sign face. Except that signs located on-premises but greater than fifty (50') feet from a building and visible from Interstate 95 shall be limited to one sign and shall not exceed one hundred fifty (150) square feet in area or the maximum sign size allowed in the district, whichever is less. Such signs, visible from Interstate 95, shall have no panel dimension greater than twenty (20') feet.

5.5. Neighborhood nuisance - No sign shall be erected which may cause nuisance or undue distraction to nearby residents or occupants.

5.6. Setbacks - Signs shall be set back at least eight (8') feet from the front lot line and other lot lines. In addition, signs on properties adjacent to Hampden Zoning Ordinance Residential A, B, or Rural District boundaries shall be set back from the side lot line at least the distance of the minimum required side yard depth for the district to which they are adjacent.

The foregoing setback requirement shall not apply to signs set forth under Article 2.10 Signs Not Requiring a Permit. Signs identified in Article 2.10 must be setback at least 20 feet from the edge of pavement but in no case shall a sign be placed in the road or street as defined in Article 7 Definitions.

5.8 Signs Permitted in All Zoning Districts. The following signs shall be allowed in all Hampden Zoning Ordinance Districts with a permit: *Amended 01/21/03*

5.8.1. Housing project sign - A single sign not over thirty-two (32) sq. ft. describing a multi-family housing project or a subdivision.

5.8.2. Subdivision sign - A single sign not over thirty-two (32) sq. ft. describing a subdivision.

5.8.3. Non-residential principal building or use sign - A single sign not over sixteen (16) sq. ft. describing a non-residential principal building or use on the premises.

5.8.4. Home occupation sign - In place of the sign allowed in *Article 2.10*, approved home occupations may display a single sign, not over four (4) sq.ft. in area, relating to the home occupation. Only one (1) unlighted, unreflective sign no greater than four (4) square feet located on premises only is permitted. Off-premises Official Business Directional Signs, as defined in *23 M.R.S.A. section 1903*, are prohibited.

5.9 Signs Permitted in the Rural District - In the Rural District the following signs shall be considered accessory to the principal use of the premises on which they are located:

5.9.1. Farm product signs - A maximum of two (2) signs describing farm products raised or produced on the premises. The maximum sign size shall not exceed sixteen (16) sq.ft.

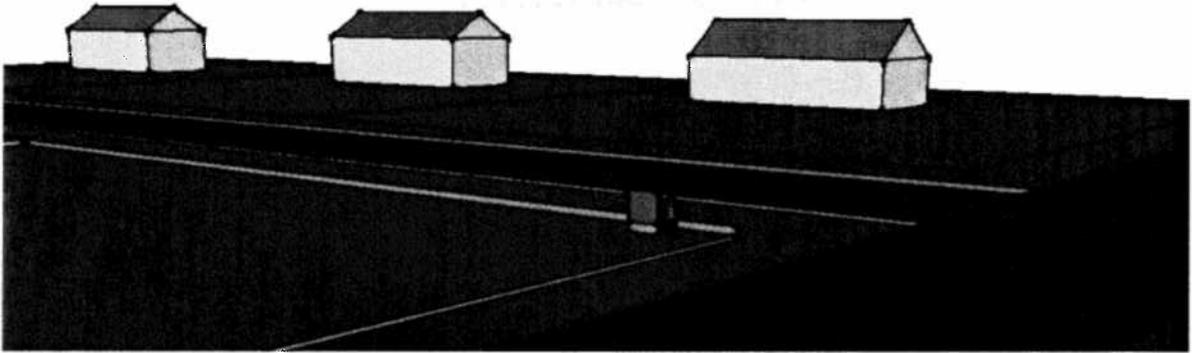
5.9.2. Customary Rural Business - Permitted: one (1) non-internally illuminated sign no greater than twelve (12) square feet located on premises. Only free-standing, pole, or wall mounted signs shall be allowed.

5.9.3. Home Day Care and Day Care Facilities. Home Day Care shall not display any outdoor signage. Day Care Facilities may have an unlighted sign not to exceed two (2) square feet.

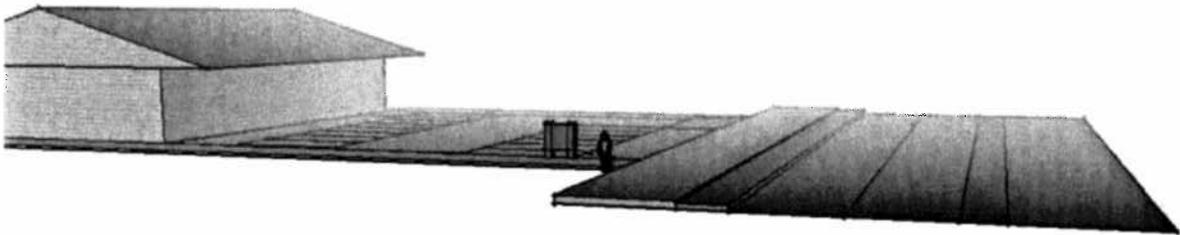
5.9.4. Excavations. Signs for excavation activities shall be to minimize public nuisance conditions or undesirable aesthetic effects on the neighborhood.

5.10 Signs Permitted in Residential Districts - In the Residential A and Residential B Districts the following signs shall be considered accessory to the principal use of the premises on which they are located:

5.10.1. Housing project or subdivision sign - A maximum of two (2) signs the combined area of which shall not exceed thirty-two (32) square feet, describing a multi-family housing project or a subdivision on the premises.



5.10.2. Non-residential sign - A maximum of two (2) signs the combined area of which shall not exceed sixteen (16) square feet, describing a non-residential principal building of less than 5,000 square feet gross floor area or use on the premises.



5.10.3. Non-residential sign for larger site developments - A maximum of one sign located at each street entrance the area of which shall not exceed sixteen (16) square feet and describing a non-residential principal building or buildings in excess of 5,000 square feet gross floor area or use. Additional signage shall be permitted on the interior of such site developments provided that each individual sign has a maximum size of sixteen (16) square feet and is set back a minimum of 30 feet from all property lines.

5.10.3.1. Readerboard Signs for churches, schools, community buildings and community facilities.

– Signs provide vital information to the community therefore churches, schools, community buildings and community facilities may establish one sign which would function as its freestanding sign as well as providing a readerboard element to convey information of interest to citizens, members and the general public. The overall size of such signage shall not exceed 30 square feet with no more than 20 square feet dedicated to the readerboard element of the sign.

5.10.4. Prohibited signs - Notwithstanding the provisions of this section roof signs and internally illuminated signs are prohibited in the residential districts.

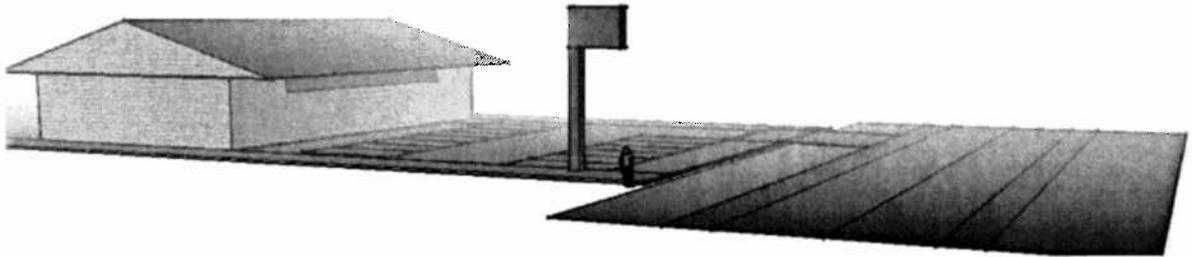
5.10.5. Scoreboards - Notwithstanding the provisions of this section scoreboards are permitted in the residential districts and are not subject to the preceding regulations including size. The content of a scoreboard shall be generally limited to the score, period, time, and other information pertinent to the sporting activity, the name of the school and team. Scoreboards may contain limited product advertising provided it is not back-lighted and is limited to 10 sq. ft.

5.10.6. Home Day Care and Day Care Facilities. Home Day Care shall not display any outdoor signage. Day Care Facilities may have an unlighted sign not to exceed two (2) square feet.

5.11. Signs in the Commercial Districts

5.11.1. Signs in the Business District and Rural Business District - Two (2) of the following sign options identifying on-premises business names, uses or goods sold or services rendered shall be allowed for uses in the Business District and the Rural Business District:

5.11.1.1. Freestanding sign - One (1) freestanding sign, not to exceed thirty-six (36) square feet.



5.11.1.2. Wall sign - Wall signs not to exceed one and one-half (1-1/2) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed one hundred fifty (150) square feet.

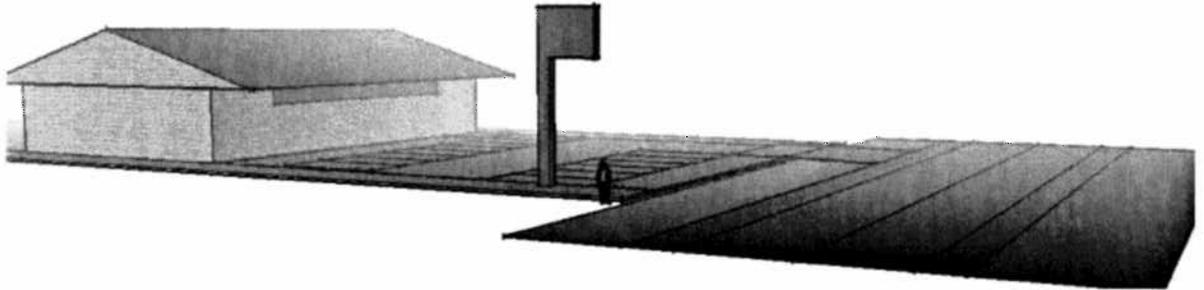
5.11.1.3. Projecting or roof sign - One (1) projecting or roof sign not to exceed thirty-six (36) square feet in area.

5.11.1.4. Outdoor dining areas - Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

5.11.2. Signs in the Business B District - Two (2) of the following sign options identifying on-premises business names, uses or goods sold or services rendered shall be allowed for uses in the Business B District provided total signage does not exceed 250 square feet in area.

5.11.2.1. Freestanding sign - One (1) freestanding sign, not to exceed fifty (50) square feet in area.

5.11.2.2. *Wall sign* - Wall signs not to exceed two square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed two hundred (200) square feet.



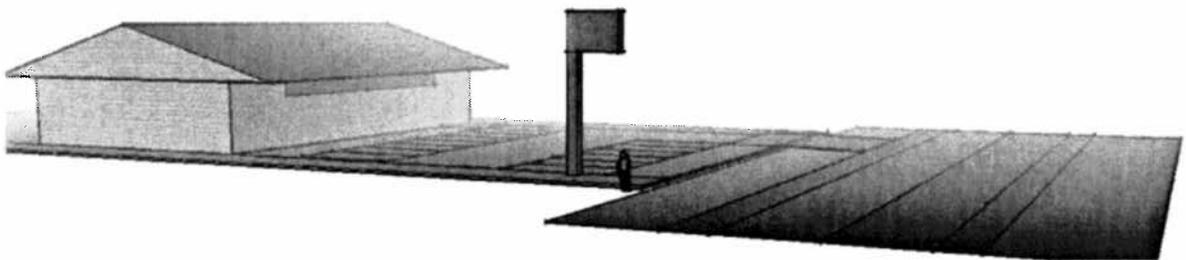
5.11.2.3. *Projecting sign* - Projecting signs not to exceed (25) square feet in area.

5.11.2.4. *Outdoor dining area* - Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. (Amended: 12-6-04)

5.11.3. Signs in the Commercial Service District - The following signs, identifying on-premises business names, uses or goods sold or services rendered shall be allowed for uses in the Commercial-Service District:

5.11.3.1. *Freestanding sign* - One (1) freestanding sign, not to exceed thirty-six (36) square feet.

5.11.3.2. *Wall sign* - Wall signs not to exceed two (2) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed two hundred (200) square feet.



5.11.3.3. *Projecting or roof sign* - One (1) projecting, or roof sign not to exceed seventy-two (72) square feet in area.

5.11.3.4. *Industrial park entrance sign* - Industrial Parks, as defined, may erect one industrial park sign per entrance. Such sign shall not exceed fifty (50) square feet.

5.11.3.5. *Outdoor dining area* - Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall

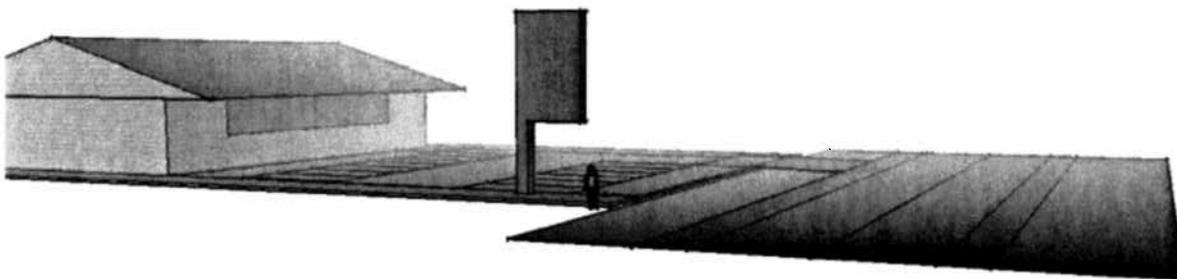
comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

5.11.3.6. Medical Marijuana Registered Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic - Medical Marijuana Registered Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic signs shall, freestanding or sign attached to building(s) in which the Dispensary and/or Facility is located in shall clearly state that it is a Medical Marijuana Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic. There shall be no signage in any window and/or door, except for the hours of operation and the presence of a security system. In addition, no signage or advertising shall use the word “marijuana” or “cannabis,” or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word “medical” in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers and/or methadone clinic patients.

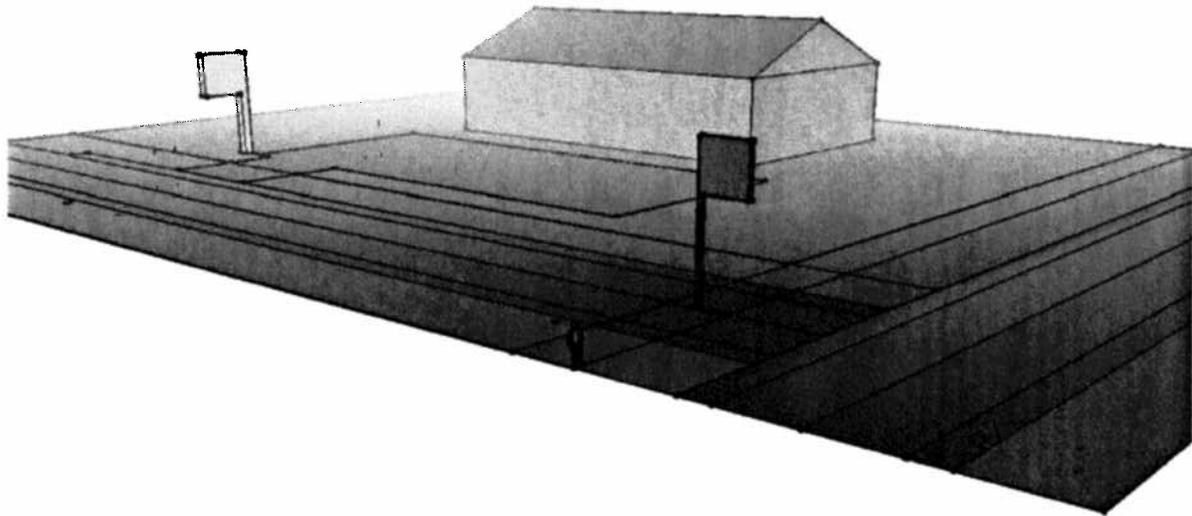
5.11.4. Signs in the Interchange District - The following signs, identifying on-premises business names, uses or goods sold or services rendered, shall be allowed for uses in the Interchange District:

5.11.4.1. Freestanding, projecting or roof signs - One (1) freestanding, projecting, or roof sign not to exceed one hundred fifty (150) square feet in area.

5.11.4.2. Wall signs - Wall signs not to exceed four (4) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed four hundred (400) square feet.



5.11.4.3. Industrial park entrance sign - Industrial parks, as defined, may erect one (1) industrial park sign per entrance. Such sign shall not exceed fifty (50) square feet.

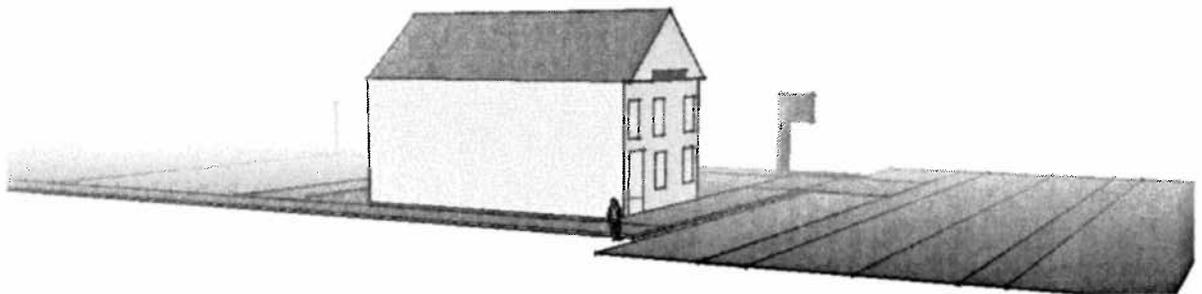


5.11.4.4. Outdoor dining area - Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

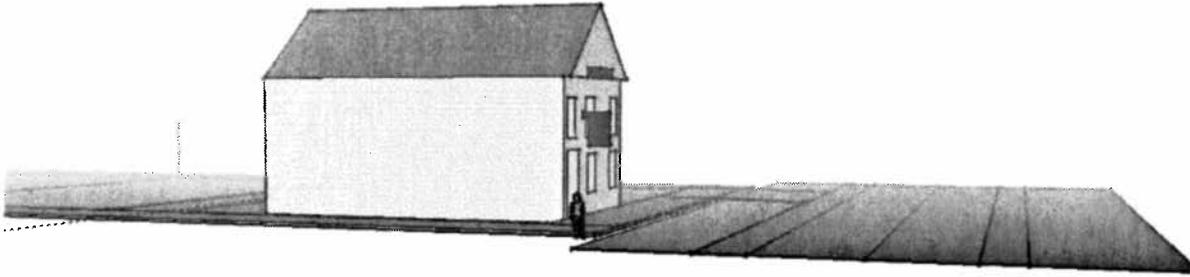
5.11.5. Signs in the Village Commercial and Village Commercial II Districts. Two (2) of the following sign options identifying on-premises business names, uses or goods sold or services rendered shall be allowed for uses in the Village Commercial District provided total signage does not exceed 30 square feet in area.

5.11.5.1. One (1) freestanding sign indirectly illuminated not to exceed twenty-four (24) square feet in area and fifteen (15') feet in height.

5.11.5.2. Wall signs not to exceed twelve (12) square feet in area.



5.11.5.3. Projecting signs not to exceed (12) square feet in area.



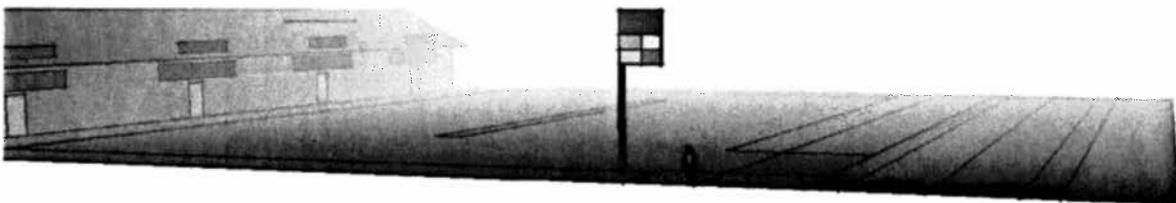
5.11.5.4. *Prohibited signs* - No internally illuminated or roof signs shall be permitted in the Village Commercial District.

5.11.5.5. *Shopping center signs* - Shopping Center Signs shall be allowed in conformance with *Article 5.11.7*, provided the sign is neither internally illuminated nor exceeds fifteen (15') feet in height.

5.11.5.6. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051*, which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

5.11.6. *Fuel sales* - In addition to signs allowed under *Article 5.11* of the Ordinance, uses selling gasoline or diesel fuel may display one sign not to exceed sixteen (16) square feet in area, advertising the price of said gasoline or diesel fuel.

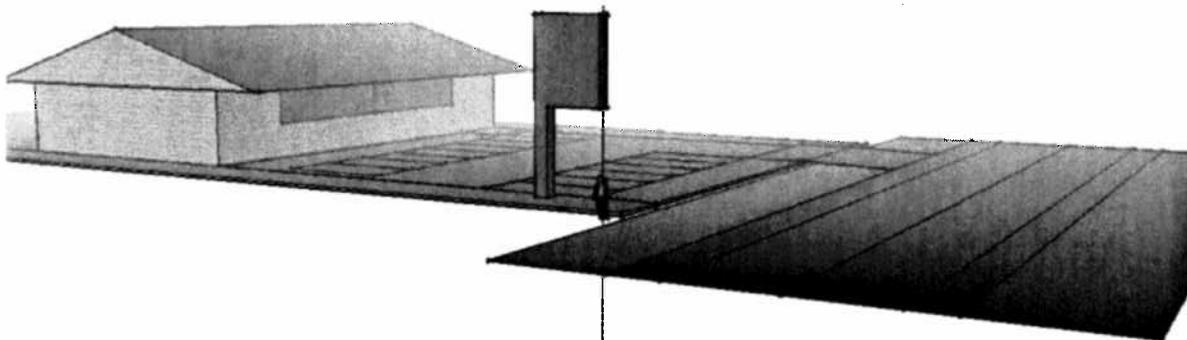
5.11.7. *Signs in shopping centers* – In addition to signs allowed under *Article 5.11* of the Ordinance, Shopping centers, as defined, each store or shop may have a projecting or roof sign not to exceed thirty-six (36) square feet. Additionally stores shall be allowed wall signs as allowed in 5.11.1.2. above and one (1) detached or freestanding sign as allowed under *Article 5.11.1.1.* above. Each shopping center may display a shopping center sign naming the shopping center and identifying uses or services rendered on the premises and/or the name(s) of stores on the premises. The main panel of the sign, which names and gives general information about the shopping center shall not exceed twenty-four (24) square feet in area. In addition, each store or shop in the shopping center may display a single sign, attached to the shopping center sign, identifying the name of the store or shop and services it provides. Such store or shop sign shall not exceed six (6) square feet in area.



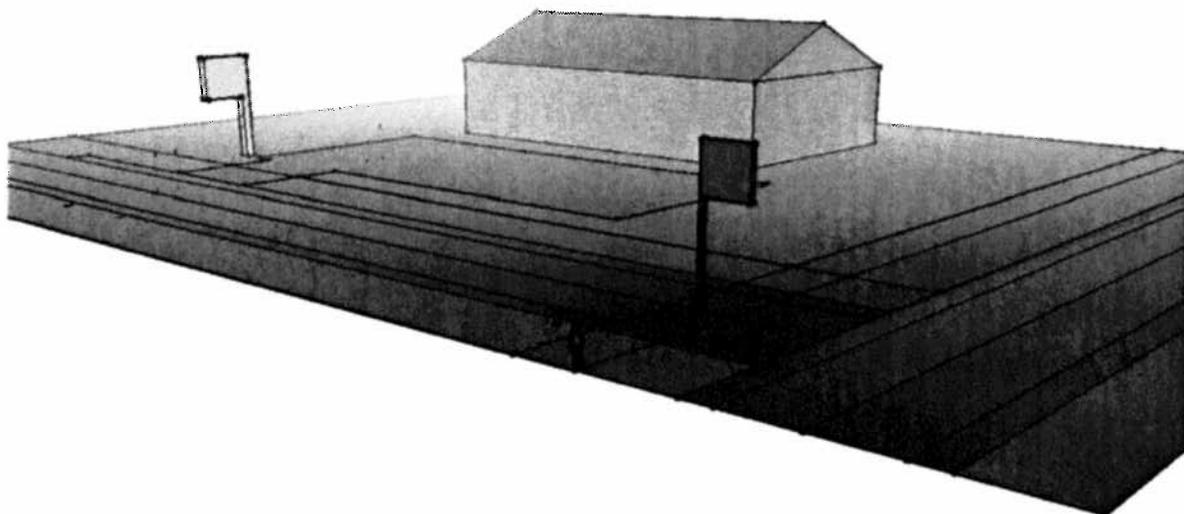
5.12. *Signs in the Industrial Districts* – The following signs, identifying on-premises business or industrial uses, shall be allowed on conforming uses in the Industrial District, the Industrial Park District, and the Industrial 2 District:

5.12.1. One freestanding, projecting or roof sign not to exceed one hundred (100) square feet in area;

5.12.2. Wall signs, not to exceed four (4) square feet of area for every running foot of building frontage. The aggregate area of all wall, signs on the premises shall not exceed four hundred (400) square feet;



5.12.3. Industrial Parks, as defined, may erect one Industrial Park sign per entrance. Such sign shall not exceed fifty (50) square feet.



5.12.4. Medical Marijuana Registered Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic signs shall, freestanding or sign attached to building(s) in which the Dispensary and/or Facility is located in shall clearly state that it is a Medical Marijuana Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic. There shall be no signage in any window and/or door, except for the hours of operation and the presence of a security system. In addition, no signage or advertising shall use the word “marijuana” or “cannabis,” or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word “medical” in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers and/or methadone clinic patients.

ARTICLE 6

PERFORMANCE STANDARDS AND MAINTENANCE AND REMOVAL OF SIGNS

6.0. *Performance Standards and Maintenance of Signs* - Signs shall be in accordance with the regulations in this Ordinance and in addition shall be so designed and located so as not to present a

hazard, glare, reflection or unattractive appearance on or to adjacent properties and the traveling public. All signs shall be properly maintained and kept. Any sign which advertises a business, product, activity, or campaign which is no longer operative or extant shall be removed by the owner, agent, or person having the beneficial use of the structure or lot upon which such sign may be found, within ten (10) days after written notification from the town manager or Code Official. Upon failure to comply with such notice, the Code Official or Town Manager is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or lot to which the sign is attached.

6.1. Removal of Unlawful Signs

6.1.1. Removal of Unlawful On-premises Signs.

6.1.1.1. *Notice to remove* - The owner of a sign which was or is unlawfully erected or maintained either prior to or after the effective date of this ordinance shall be in violation of this ordinance until the sign is removed. The owner of the sign shall remove the sign within 30 days of receipt of a notice to remove, sent by certified mail, return receipt requested, by the Code Official. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of.

6.1.1.2. *Code Official to remove sign* - If the owner fails to remove the sign as required, the Code Official may remove the sign at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.

6.1.1.3. *Procedure for notice, hearing, appeal.* The procedure for notice, hearing and appeal is as follows.

6.1.1.3.1. The Code Official shall send to the sign owner notice by certified mail, return receipt requested, that a sign is to be removed. Such notice shall be a final order if not appealed under *Article 6.1.1.3.2*. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed.

6.1.1.3.2. The person owning or controlling the sign may, within 30 days of his receipt of the notice to remove, appeal the order of removal to the Board of Appeals pursuant to *Article 6* of this ordinance. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court.

6.1.2. Removal of Unlawful Off-premises Signs.

6.1.2.1. *Notice to remove*- Because the difficulty to identify those individuals that own, erect or established off-premises signs the Code Enforcement Officer shall contact the subject of the sign or their local representatives. The subject of the sign or their local representative shall remove the sign within 48 hours of receipt of a notice to remove, sent by certified mail, return receipt requested, by the Code Official. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of.

6.1.2.2 *Code Official to remove sign* - If the owner fails to remove the sign as required, the Code Official may remove the sign at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.

6.1.2.3. *Removal of signs from Right of Ways.* Notwithstanding the notice to remove provisions of this Article the Code Enforcement Officer, Public Works Director and Public Safety Director shall have the authority to immediately remove signs located in public right-of-ways that are deemed to constitute a traffic hazard or impede snow removal. In such cases notification of the removal of the sign may be after the fact. Notice of removal shall be sent by certified mail, return receipt requested, by the Code Official. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of.

ARTICLE 7 DEFINITIONS

7.1. Construction Language - In this Ordinance, certain terms or words shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure" and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

7.2. Definitions - In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Sign: Structure, device, letter, word, model, banner, pennant, insignia, flag, or other representation which is used as or is in the nature of advertisement, announcement, or direction. The area of a sign is the area of the geometric shape exemplified by a square, rectangle, triangle, circle, etc., encompassing all lettering, wording, design, symbols, together with the background which is not a normal color of the building. An inconspicuous support exemplified by a slim post is not part of the sign. Both sides of freestanding signs, pole signs and projecting signs may be used for advertisement, announcement, or direction. Limitation of sign size refers to the structure of the sign, not to the surface.

Detached or freestanding sign: Shall mean a sign that is not attached to any building or structure and is portable and self-supporting.

Industrial park sign: A pole sign or a projecting sign directing the public to an industrial park. Such sign may identify the name of the industrial park and the name of uses, services, or businesses located on the premises but shall not describe goods or brand or trade name except in instances where the brand name and company are identical. Such sign shall be a maximum of fifty (50) square feet.

Off-premises sign: Shall mean any sign that is not an on-premises sign as defined in this Ordinance.

On-premises sign: Shall mean any sign which is erected and maintained upon the same lot that the business, facility, or point of interest or information identified on the sign is located.

Pole sign: Shall mean any sign which is supported by structures or supports in or upon the ground and independent of support from any building and shall be considered as a freestanding sign.

Projecting sign: Shall mean any sign, other than a wall sign, affixed to any building or wall whose leading edge extends beyond such building or wall by more than twelve (12") inches.

Roof sign: Shall mean any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

Shopping center sign: A pole or a projecting sign directing the public to a shopping center. Such sign may identify the name of the shopping center and the name of shops or stores located in the shopping center. In addition, the sign may contain information about the shopping center of a general nature, such as its hours of operation. However, it shall not describe goods or brand or trade name except in instances where the brand name and business name are identical.

Front lot line: The line separating the lot from the road or street. On a corner or through lot, the line separating the lot from either street.

Road or street: Shall mean an area or strip of land in the Town of Hampden intended for the passage and use of the general public by motor vehicles. For the purposes of this Ordinance, road or street shall include the full width of any right of way or fee simple title for the area or strip of land that has been established for the foregoing purpose. A road or street may be either:

- a. owned, held, or established, and maintained, by the Town of Hampden, or the State of Maine, or
- b. is shown on a plan of a subdivision which has been duly approved by the Hampden Planning Board and recorded in the Penobscot County Registry of Deeds and has not been vacated as a result of 23 M.R.S.A. §3032, 23 M.R.S.A. §3031, 23 M.R.S.A. §3027, or 23 M.R.S.A. §3027-A.

***Sign, externally illuminated:* A sign that features artificial illumination from a light source which provides light directly onto the sign face, or portions of the sign face, or its background, which light is then reflected back to the viewer.**

***Awning:* A roof like shelter of canvas or other material extending over a doorway, from the top of a window, over a deck, etc., in order to provide protection, as from the sun.**

***Canopy:* A structure, either detached from or attached to and extending from the enclosed portion of a building, and used principally to provide shelter in connection with activities conducted in the principal building. This definition includes but is not limited to fuel station, bank and pharmacy canopies**

***Sign Portable:* A sign not permanently attached to the ground or other permanent structure, including but not limited to signs with attached wheels, A-frame signs, signs attached or painted on vehicles parked and visible from a street, unless said vehicle is used as a vehicle in the normal day-to-day operations of the business it advertises and is parked on the same zoning lot as the business. A sandwich board sign as defined by and in conformance with this ordinance is not considered a portable sign.**

***Sign, Sandwich Board:* A single or double-faced moveable sign that is intended to be used on sidewalk or pedestrian way in front of the business for which the commercial message is intended.**

Sign, Window: An on-premises wall sign that is permanently affixed to the outside of a window and is legible from outside the window and typically consists of paint or vinyl with adhesive fixed to the window.

TOWN OF HAMPDEN

Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined Points of interest **Highlighted**

3.3. Commercial Service District

3.3.5. Special District Regulations

6. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended 12-6-04)*

3.4. Business District

3.4.5. Special District Regulations –

3. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended 12-6-04)*

3.5. Rural Business District

3.5.5. Special District Requirements –

3. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended 12-6-04)*

3.6. Interchange District

3.6.5. Special District Regulations

3. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*

3.13. Business B District

3.13.5. Special District Regulations

7. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*

3.14. Village Commercial District

3.14.6. Special District Regulations

7. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051.* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*

3.15. Village Commercial II District

3.15.5. Special District Regulations

9. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051.* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*

ARTICLE 4
GENERAL REGULATIONS

The following regulations pertain to all districts unless otherwise indicated.

4.1. Site Plan Review

4.1.6. Required Information on Plans - Application for the establishment of uses requiring site plan review shall be accompanied by plans, drawn to scale, containing the following information:

16. Location and size of signs and all permanent outdoor fixtures.

4.1.7. Standards Governing Site Plan Review - In approving an application for site plan review, the planning board shall first determine that the development, as planned, will conform to the requirements of the district in which it is to be located and to other pertinent requirements of this Ordinance. Following such determination, the board shall approve the proposed plan if it makes a positive finding based on the evidence presented that it meets all of the following standards. In all cases, the burden of proof shall be upon the applicant. *(Amended: 4-03-88)*

5. Signs and exterior lighting shall be in accordance with the regulations in this Ordinance and the *Town of Hampden Sign Ordinance* and in addition shall be so designed and located so as not to present a hazard, glare, reflection or unattractive appearance on or to adjacent properties and the traveling public. *(Amended: 10-17-88)*

4.2. Conditional Uses

4.2.4. Conditions Attached to Conditional Uses: Upon consideration of the factors listed above, the planning board may attach such conditions, in addition to those required elsewhere in this Ordinance, that it finds necessary to further the purposes of this Ordinance. Violation of any of these conditions shall be a violation of this Ordinance. Such conditions may include, but are not limited to, specifications for: type of vegetation; increased setbacks and yards; specified sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational controls; professional inspection and maintenance; sureties; deed restriction; restrictive covenants; locations of piers, docks parking and signs; type of construction; or any other conditions necessary to fulfill the purposes of this Ordinance.

4.7. Off-Street Parking, Loading, Drive-Thru Design and Bufferyard Requirements – The purpose of this section is to provide minimum standards and design guidelines for off-street parking, and loading areas, drive-thru businesses and bufferyards. *(Amended: 10-12-04)*

4.7.3.6. Additional Standards

1. Signs associated with a drive-through facility shall be regulated pursuant to ~~Article 4.8, Sign Regulations: *Town of Hampden Sign Ordinance*~~.

~~4.8. Signs. Signs provide vital information to the public, assist in the response and rescue of public safety and engender a sense of place. The following provisions shall apply to signs and billboards in all districts where permitted. *Amended 01/21/03 Deleted, See Town of Hampden Sign Ordinance.*~~

~~4.8.1. Off-Premises Signs~~— No off premises signs shall be erected or maintained in the Town of Hampden except in conformity with ~~23 M.R.S.A. section 1901-1925 the Maine Traveler Information Services Law~~. Off premises official business directional signs may be located in the Town of Hampden in such locations and in such a manner as allowed under ~~23 M.R.S.A. sections 1901-1925~~ and under the rules and regulations of the State of Maine Department of Transportation. Provided, however, that off premises official business directional signs for home occupations are prohibited. Authorization for official business directional signs shall be obtained from the Code Official. ~~Amended 01/21/03~~

~~1. Exception for property identification numbers~~— Each residential premises is allowed a mailbox with the identification number of the property clearly marked on it. If the mail box is on the opposite side of the street of the house or if there is no mailbox, the premises is also allowed an MDOT approved sign post, or similar structure, with numbers that meet the standards of subparagraph a below. Such signs are also allowed on an adjacent parcel with written permission of the landowner. ~~Amended 01/21/03~~

~~a.~~ All non residential uses must display the identification number of the property. The area required by the number is not included in the calculation of the total square footage of the sign. ~~Amended 01/21/03~~

~~b.~~ Approved address numbers shall be placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). ~~Amended 01/21/03~~

~~2. Exception for industrial subdivision entrance sign~~— In Planning Board approved Industrial Subdivisions a sign marking each public street entrance shall be permitted. Such signs shall be limited to 70 square feet per face and shall only contain the name of the subdivision, the name of the public subdivision's street, and owner identification information. The sign may be located in the raised median of the entrance street provided that it is at least 20 feet from the nearest perpendicular traveled way and the sign itself creates no visual barrier from the ground up to a height of 6 feet. ~~Amended 01/21/03~~

~~3. Exception for industrial subdivision directory sign~~— In Planning Board approved Industrial Subdivisions a directory sign marking tenants in the subdivision located near each public street entrance shall be permitted. Such signs shall: be unlighted, be limited to 50 square feet per face, not exceed five feet in height, and shall only contain the name of subdivision, information about the subdivision's management, and the name and address of each subdivision's tenant. The sign may be located in the public right of way provided that it is at least 100 feet from the entrance and does not create a visual barrier to individual lot entrances. ~~Amended 01/21/03~~

~~4.8.2. On-Premises Signs~~— All on premises signs shall be located and erected in conformity with State Law (~~23 M.R.S.A. sections 1901-1925~~). In addition the following regulations apply:

~~1. Visual obstruction~~— No sign shall be erected adjacent to any public way in such a manner as to obstruct clear and free vision or where, by reason of its position, shape, color, illumination, or wording, the sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign, or device or otherwise constitute a hazard to pedestrian or vehicular traffic.

~~2. Visual distraction~~— Flashing, moving, or animated signs are prohibited.

~~3. *Height limit*—No sign shall exceed twenty five (25') feet in height.~~

~~4. *Size limit*—No sign shall exceed the maximum sign size for the district in which the sign is placed. Freestanding signs are sized on the basis of one sign face. Except that signs located on premises but greater than fifty (50') feet from a building and visible from Interstate 95 shall be limited to one sign and shall not exceed one hundred fifty (150) square feet in area or the maximum sign size allowed in the district, whichever is less. Such signs, visible from Interstate 95, shall have no panel dimension greater than twenty (20') feet. Amended 01/21/03~~

~~5. *Neighborhood nuisance*—No sign shall be erected which may cause nuisance or undue distraction to nearby residents or occupants.~~

~~6. *Setbacks*—Signs shall be set back at least eight (8') feet from the street line and other lot lines, except signs on properties adjacent to Residential A, B, or Rural District boundaries. In that case, signs shall be set back from the side lot line at least the distance of the minimum required side yard depth for the district to which they are adjacent and shall be set back from the street line at least eight (8') feet.~~

~~7. *Roof signs*—Roof signs shall not extend more than ten (10') feet above the roofline.~~

~~4.8.3. *Permitted Signs Not Requiring a Permit*—The following signs shall be permitted in all districts without a permit. Amended 01/21/03~~

~~1. *Real estate signs*—The following signs relating to the sale, rental or lease of a premises may be displayed on the premises of a premises which is available for sale, rent or lease:~~

~~a. A single freestanding sign, not over five (5) square feet in area.~~

~~—Amended 01/21/03~~

~~b. A single wall sign not over three (3) square feet in area.~~

~~All such signs shall be removed when PURPOSE IS FULFILLED.~~

~~2. *Posting signs*—Signs relating to trespassing and hunting.~~

~~3. *Residential identification signs*—A single sign denoting the name and/or address of the occupants of residential premises, such sign shall not exceed four (4) square feet in area.~~

~~a. Or one sign naming the premises where located. Such sign shall not exceed six (6) square feet if it is a wall sign, or four (4) square feet if it is a freestanding sign. (Examples: Twin Oaks, Fox Fire, Kinsley House, etc.). Amended 01/21/03~~

~~4. *Tradesman signs*—A single sign, placed on the premises where construction, repair, or renovation is in progress, which denotes the architect, engineer, contractor, and/or funding source for the work in progress. Such sign shall not exceed sixteen (16) sq.ft. in area and shall be removed when the work is completed. Federal and state government mandated signs are exempt.~~

~~5. *Traffic signs*—Signs providing traffic and directional information to the public.~~

~~6. *Home occupation sign*—In place of the sign allowed in Article 4.8.3.3. above, approved home occupations may display a single sign, not over four (4) sq.ft. in area, relating to the home occupation.~~

~~7. *For sale signs*—In addition to the sign allowed in Article 4.8.3.3. above, residential users may~~

~~display a single temporary sign, not over four (4) sq.ft. in area, relating to goods or services for sale on the premises, if such sale does not constitute either a business, a home occupation, or a yard sale. Examples of sales falling under this provision are the sale of a used vehicle, the sale of a used appliance, or other occasional sales.~~

~~8. *Temporary event signs*—Temporary signs announcing public and semi public occasional events, political campaigns, candidates, etc. Such signs shall be displayed not more than two (2) weeks before the event and shall be removed within one (1) week after the event. Signs established more than two weeks prior to the announced event shall be deemed unlawful and are subject to removal under Article 4.8.10.2. (Amended 04-04-05)~~

~~4.8.4. *Permitted Signs With a Permit*—The following signs shall be permitted in all districts with a permit: (Amended 01/21/03)~~

~~1. *Housing project sign*—A single sign not over thirty two (32) sq.ft. describing a multi family housing project or a subdivision. (Amended 01/21/03)~~

~~2. *Subdivision sign*—A single sign not over thirty two (32) sq.ft. describing a subdivision. (Amended 01/21/03)~~

~~3. *Non-residential principal building or use sign*—A single sign not over sixteen (16) sq. ft. describing a non-residential principal building or use on the premises. (Amended 01/21/03)~~

~~4.8.5. *Signs in the Rural District*—In the Rural District the following signs shall be considered accessory to the principal use of the premises on which they are located: (Amended 01/21/03)~~

~~1. *Farm product signs*—A maximum of two (2) signs describing farm products raised or produced on the premises. The maximum sign size shall not exceed sixteen (16) sq.ft.~~

~~4.8.6. *Signs In Residential Districts*—In the Residential A and Residential B Districts the following signs shall be considered accessory to the principal use of the premises on which they are located:~~

~~1. *Housing project or subdivision sign*—A maximum of two (2) signs whose combined area shall not exceed thirty two (32) square feet, describing a multi family housing project or a subdivision on the premises.~~

~~2. *Non-residential sign*—A maximum of two (2) signs whose combined area shall not exceed sixteen (16) square feet, describing a non-residential principal building of less than 5,000 square feet gross floor area or use on the premises. (Amended 01/21/03)~~

~~3. *Non-residential sign for larger site developments*—A maximum of one sign located at each street entrance whose area shall not exceed sixteen (16) square feet and describing a non-residential principal building or buildings in excess of 5,000 square feet gross floor area or use. Additional signage shall be permitted on the interior of such site developments provided that each individual sign has a maximum size of sixteen (16) square feet and is set back a minimum of 30 feet from all property lines. (Amended 01/21/03)~~

~~4. *Prohibited signs*—Notwithstanding the provisions of this section roof signs and internally illuminated signs are prohibited in the residential districts. (Amended 01/21/03)~~

~~5. *Scoreboards*—Notwithstanding the provisions of this section scoreboards are permitted in the~~

residential districts and are not subject to the preceding regulations including size. The content of a scoreboard shall be generally limited to the score, period, time, and other information pertinent to the sporting activity, the name of the school and team. Scoreboards may contain limited product advertising provided it is not back lighted and is limited to 10 sq. ft. *Amended 01/21/03*

~~4.8.7. Signs in the Commercial Districts~~ *Amended 01/21/03*

~~1. Signs in the Business District and Rural Business District~~ Two (2) of the following sign options identifying on premises business names, uses or goods sold or services rendered shall be allowed for uses in the Business District and the Rural Business District: *Amended 01/21/03*

~~a. One (1) freestanding sign, not to exceed thirty six (36) square feet.~~

~~*Amended 01/21/03*~~

~~b. Wall signs not to exceed one and one half (1 1/2) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed one hundred fifty (150) square feet.~~

~~e. One (1) projecting or roof sign not to exceed thirty six (36) square feet in area.~~ *Amended 01/21/03*

~~2. Signs in the Business B District~~ Two (2) of the following sign options identifying on premises business names, uses or goods sold or services rendered shall be allowed for uses in the Business B District provided total signage does not exceed 250 square feet in area. *Amended 01/21/03*

~~a. One (1) freestanding sign, not to exceed fifty (50) square feet in area.~~ *Amended 01/21/03*

~~b. Wall signs not to exceed two square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed two hundred (200) square feet.~~

~~c. Projecting signs not to exceed (25) square feet in area.~~

~~3. Signs in the Commercial Service District~~ The following signs, identifying on premises business names, uses or goods sold or services rendered shall be allowed for uses in the Commercial Service District: *Amended 01/21/03*

~~a. One (1) freestanding sign, not to exceed thirty six (36) square feet.~~

~~*Amended 01/21/03*~~

~~b. Wall signs not to exceed two (2) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed two hundred (200) square feet.~~

~~c. One (1) projecting, or roof sign not to exceed seventy two (72) square feet in area.~~ *Amended 01/21/03*

~~d. Industrial Parks, as defined, may erect one industrial park sign per entrance. Such sign shall not exceed fifty (50) square feet.~~

~~4. Signs in the Interchange District~~ The following signs, identifying on premises business names, uses or goods sold or services rendered, shall be allowed for uses in the Interchange District:

~~Amended 01/21/03~~

- ~~a. One (1) freestanding, projecting, or roof sign not to exceed one hundred fifty (150) square feet in area. Amended 01/21/03~~
- ~~b. Wall signs not to exceed four (4) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed four hundred (400) square feet.~~
- ~~e. Industrial parks, as defined, may erect one (1) industrial park sign per entrance. Such sign shall not exceed fifty (50) square feet.~~

~~5. Signs in the Village Commercial and Village Commercial II Districts Two (2) of the following sign options identifying on premises business names, uses or goods sold or services rendered shall be allowed for uses in the Village Commercial District provided total signage does not exceed 30 square feet in area. Amended 01/21/03~~

- ~~a. One (1) freestanding sign indirectly illuminated not to exceed twenty four (24) square feet in area and fifteen (15) feet in height. Amended 01/21/03~~
- ~~b. Wall signs not to exceed twelve (12) square feet in area.~~
- ~~e. Projecting signs not to exceed (12) square feet in area.~~
- ~~d. Prohibited signs No internally illuminated or roof signs shall be permitted in the Village Commercial District.~~
- ~~e. Shopping center signs Shopping Center Signs shall be allowed in conformance with Article 4.8.7.7, provided the sign is neither internally illuminated nor exceeds fifteen (15) feet in height.~~

~~6. Fuel sales In addition to signs allowed under Article 4.8.7 of the Ordinance, uses selling gasoline or diesel fuel may display one sign not to exceed sixteen (16) square feet in area, advertising the price of said gasoline or diesel fuel.~~

~~7. Signs in shopping centers In addition to signs allowed under Article 4.8.7 of the Ordinance, Shopping centers, as defined, each store or shop may have a projecting or roof sign not to exceed thirty six (36) square feet. Additionally stores shall be allowed wall signs as allowed in 4.8.7.1.b above and one (1) detached or freestanding sign as allowed under Article 4.8.7.1.a. above. Each shopping center may display a shopping center sign naming the shopping center and identifying uses or services rendered on the premises and/or the name(s) of stores on the premises. The main panel of the sign, which names and gives general information about the shopping center shall not exceed twenty four (24) square feet in area. In addition, each store or shop in the shopping center may display a single sign, attached to the shopping center sign, identifying the name of the store or shop and services it provides. Such store or shop sign shall not exceed six (6) square feet in area. Amended 01/21/03~~

~~4.8.8. Signs in the Industrial Districts The following signs, identifying on premises business or industrial uses, shall be allowed on conforming uses in the Industrial District, the Industrial Park District, and the Industrial 2 District:~~

1. ~~One freestanding, projecting or roof sign not to exceed one hundred (100) square feet in area; Amended 01/21/03~~
2. ~~Wall signs, not to exceed four (4) square feet of area for every running foot of building frontage. The aggregate area of all wall signs on the premises shall not exceed four hundred (400) square feet;~~
3. ~~Industrial Parks, as defined, may erect one Industrial Park sign per entrance. Such sign shall not exceed fifty (50) square feet.~~

~~**4.8.9. Maintenance of Signs** All signs shall be properly maintained and kept. Any sign which advertises a business, product, activity, or campaign which is no longer operative or extant shall be removed by the owner, agent, or person having the beneficial use of the structure or lot upon which such sign may be found, within ten (10) days after written notification from the town manager or Code Official. Upon failure to comply with such notice, the Code Official or Town Manager is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or lot to which the sign is attached. Amended 01/21/03~~

~~**4.8.10. Removal of Unlawful Signs** Amended 01/21/03~~

~~**4.8.10.1. Removal of Unlawful On-premise Signs.** (Amended 04-04-05)~~

1. ~~Notice to remove~~ The owner of a sign which was or is unlawfully erected or maintained either prior to or after the effective date of this ordinance shall be in violation of this ordinance until the sign is removed. The owner of the sign shall remove the sign within 30 days of receipt of a notice to remove, sent by certified mail, return receipt requested, by the Code Official. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of.
2. ~~Code Official to remove sign~~ If the owner fails to remove the sign as required, the Code Official shall remove the sign at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.
3. ~~Procedure for notice, hearing, appeal.~~ The procedure for notice, hearing and appeal is as follows:
 - a. ~~The Code Official shall send to the sign owner notice by certified mail, return receipt requested, that a sign is to be removed. Such notice shall be a final order if not appealed under Article 4.8.10.4.B. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed.~~
 - b. ~~The person owning or controlling the sign may, within 30 days of his receipt of the notice to remove, appeal the order of removal to the Board of Appeals pursuant to Article 6 of this ordinance. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court. (Amended: 09-18-06)~~

~~**4.8.10.2. Removal of Unlawful Off-premise Signs.** (Amended 04-04-05)~~

1. ~~Notice to remove~~ Because the difficulty to identify those individuals that own, erect or established off premise signs the Code Enforcement Officer shall contact the subject of the

~~sign or their local representatives. The subject of the sign or their local representative shall remove the sign within 48 hours of receipt of a notice to remove, sent by certified mail, return receipt requested, by the Code Official. If the identity of such owner is not known or reasonably ascertainable by the Code Official, such notice may instead be sent to the owner of the land on which the sign is placed. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of.~~

~~2—Code Official to remove sign— If the owner fails to remove the sign as required, the Code Official shall remove the sign at the expense of the owner without any further notice or proceeding and may recover the expense of this removal from the owner.~~

~~4.8.10.3. Removal of signs from Right of Ways. Notwithstanding the notice to remove provisions of this Article the Code Enforcement Officer, Public Works Director and Public Safety Director shall have the authority to immediately remove signs located in public right-of-ways that are deemed to constitute a traffic hazard or impede snow removal. In such cases notification of the removal of the sign may be after the fact. Notice of removal shall be sent by certified mail, return receipt requested, by the Code Official. All removed signs shall be held at the Transfer Station for a period of 30 days before they are disposed of. (Amended 04-04-05)~~

4.10. Home Occupation Permits - A home occupation permit shall be granted to a person or corporation and is not granted to run with the land nor is the permit transferable to a subsequent owner or renter. Applicants shall demonstrate that they have adequate right, title and interest in a property in order to apply for a home occupation. Where home occupations are expressly prohibited by deed restriction, lease, subdivision covenant and or subdivision plan condition the Planning Board shall find that the applicant lacks adequate right, title or interest to grant a home occupation permit. Application for a home occupation permit shall include a plan in accordance with *Article 4.1.9, Site Sketch*. If new construction is proposed the requirements of *Article 4.1., Site Plan Review* shall be met in addition to the requirements of *Article 4.10 Home Occupation Permits*. All home occupations shall be planned, operated and maintained according to the following standards: (Amended: 03-21-05)

4.10.3. Appearance and Performance Standards - In no way shall the appearance of the structure or the premises be altered or the occupation within the residence be conducted such that the structure or premises differs from its residential character by use of colors, materials, premises layout, construction or lighting. Temporary garages, instant garages or portable garages constituted of a metal or wooden frame and a tarpaulin-like canvas or vinyl cover do not satisfy the requirements of this section. The proposed home occupation shall not be overtly evident from beyond the property line of the subject premises except for the presence of a sign and customer or client parking. Home occupations shall not cause sound, noise, odors, dust, gas, fumes, smoke, light or other dangerous emissions discernable or detectable from beyond the property line of the subject property. In addition, no home occupation shall be allowed which creates a fire hazard to the premises or neighboring premises or which creates electrical interference such that it causes visual or audible interference in any radio or television receivers off the premises. The applicant shall demonstrate that the proposed home occupation will not interfere with the peaceful use and enjoyment of residential properties located in the area of the proposed use. (Amended: 03-21-05)

4.10.4. Signs and Advertising —Permitted: one (1) unlighted, unreflective sign no greater than four (4) square feet located on premises only. —Off premises Official Business Directional Signs, as defined in *23 M.R.S.A. section 1903*, are prohibited. Newspaper, radio, T.V. or telephone listing advertising may be used to the extent that *Articles 4.10.5 and 4.10.6* are not violated. Signs shall conform to the *Town of Hampden Sign Ordinance*.

4.19. Day Care Provisions

4.19.3. Performance Standards

5. ~~Signs: Home Day Care shall not display any outdoor signage. Day Care Facilities located in the Residential A, Residential B or Rural Districts may have an unlighted sign not to exceed two (2) square feet. Signs shall conform to the Town of Hampden Sign Ordinance.~~

4.20. Customary Rural Business - To insure that the character of the rural area is not transformed from one which is rural, Customary Rural Businesses shall be operated and designed to blend in with the rural landscape. All Customary Rural Businesses shall be planned, operated and maintained according to the following standards.

- ~~4.20.4. Signs - Permitted: one (1) non internally illuminated sign no greater than twelve (12) square feet located on premises. Only free standing, pole, or wall mounted signs shall be allowed. Signs shall conform to the Town of Hampden Sign Ordinance.~~

4.23 Excavation, Gravel Pit and Quarry *(Amended 12-17-07)*

4.23.6 Excavation Permits *(Amended 12-17-07)*

4.23.6.4 *Application procedure and contents.* An application for an excavation permit shall be submitted to the Code Enforcement Officer. The application and its contents shall be sealed by a professional engineer. The Code Enforcement Officer shall verify that the application is complete. The following information shall be included with the application for a permit:

4.23.6.4.I Description of existing or proposed signs and lighting.

4.23.6.8 *Planning Board review criteria.* The Planning Board shall determine that the excavation, as planned, will conform to the requirements of the district in which it is to be located and to other pertinent requirements of this Ordinance. Following such determination, the board shall approve the proposed excavation plan if it makes a positive finding based on the evidence presented that it meets all of the following standards. In all cases, the burden of proof shall be upon the applicant.

4.23.6.8.C Signs in accordance with the provisions of *Article 4.8* the Town of Hampden Sign Ordinance and lighting in accordance with the provisions of *Article 4.1.7* designed to minimize public nuisance conditions or undesirable aesthetic effects on the neighborhood.

4.24 Performance Standards for Medical Marijuana Registered Dispensaries, Medical Marijuana Cultivation Facilities and Methadone Clinics *(Amended 03-07-2011)*

~~4.24.5. Signs and Advertising.~~ Medical Marijuana Registered Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic shall conform to the provisions of ~~Article 4.8 Signs of this Ordinance.~~ the *Town of Hampden Sign Ordinance*. In addition thereto, any freestanding or sign attached to building(s) in which the Dispensary and/or Facility is located in shall clearly state that it is a Medical Marijuana Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic. There shall be no signage in any window and/or door, except for the hours of operation and the presence of a security system. In addition, no signage or advertising shall use the word "marijuana" or

“cannabis,” or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word “medical” in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers and/or methadone clinic patients.

ARTICLE 7 DEFINITIONS

7.1. Construction Language - In this Ordinance, certain terms or words shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure" and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

7.2. Definitions - In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Sign: Structure, device, letter, word, model, banner, pennant, insignia, flag, or other representation which is used as or is in the nature of advertisement, announcement, or direction. The area of a sign is the area of the geometric shape exemplified by a square, rectangle, triangle, circle, etc., encompassing all lettering, wording, design, symbols, together with the background which is not a normal color of the building. An inconspicuous support exemplified by a slim post is not part of the sign. Both sides of freestanding signs, pole signs and projecting signs may be used for advertisement, announcement, or direction. Limitation of sign size refers to the structure of the sign, not to the surface.

Detached or freestanding sign: Shall mean a sign that is not attached to any building or structure and is portable and self-supporting.

Industrial park sign: A pole sign or a projecting sign directing the public to an industrial park. Such sign may identify the name of the industrial park and the name of uses, services, or businesses located on the premises but shall not describe goods or brand or trade name except in instances where the brand name and company are identical. Such sign shall be a maximum of fifty (50) square feet.

Pole sign: Shall mean any sign which is supported by structures or supports in or upon the ground and independent of support from any building.

Projecting sign: Shall mean any sign, other than a wall sign, affixed to any building or wall whose leading edge extends beyond such building or wall by more than twelve (12") inches.

Roof sign: Shall mean any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

Shopping center sign: A pole or a projecting sign directing the public to a shopping center. Such sign may identify the name of the shopping center and the name of shops or stores located in the shopping center. In addition, the sign may contain information about the shopping center of a general nature, such as its hours of operation. However, it shall not describe goods or brand or trade name except in instances where the brand name and business name are identical.