

Agenda Summary

June 24, 2019

Agenda Item No. 6

Interim Zoning By-laws Downtown Sandwich Board Signs

Summary: Stowe Vibrancy has requested the Selectboard adopt interim zoning in order to help downtown businesses promote themselves during active construction through November 15, 2019. We don't anticipate construction that will be perceived as inhibiting business during the winter months and it would be best not to have the signs during the winter for snow removal purposes. If desired, the Selectboard can institute interim zoning again during the 2020 construction season.

For your reference, I have also included what the sign regulations currently permit or exempt.

Town Plan Impact:

Fiscal Impact: N/A

Recommendation: Move to implement the interim zoning effective immediately.

**Interim Sign Bylaw Amendments,
Town of Stowe
Public Hearing Draft
June 24, 2019**

INTERIM SIGN BYLAW AMENDMENTS

A. Enactment and Authority

The Town of Stowe has adopted these interim bylaws in accordance with and as authorized by the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A. Chapter 117, §4415, Interim Bylaws.

1. Purpose

The purpose of these interim sign bylaws is to protect the general public welfare and provide for orderly physical and economic growth of the area in the vicinity of the Class 1 Sidewalk & Overhead Utility Project. This bylaw facilitates businesses in the downtown construction area to promote their services and products, and to advertise the fact that they are open for business during the period of time that the Class 1 Sidewalk & Overhead Utility Project is under active construction between the adoption of these interim by-laws through November 15, 2019.

2. Applicability

The applicable area is the Stowe Designated Downtown as shown on the attached map.

3. Exemption

Temporary portable signs, including sandwich boards, may be erected without a permit provided they comply with the following provisions:

(a) Size, location, and maintenance: The maximum size for each portable sign shall be no greater than 6 square feet, with maximum dimensions of 24" x 36". Each sign shall be located outside the town highway right-of-way and shall not impede pedestrian traffic. Each sign shall be removed at the end of the business day. No sign shall be interfere with construction or impede pedestrian travel by being placed on the public sidewalk.

(c) Effective period: These temporary portable signs may remain in place for the duration of the effective period of these interim bylaws that will be in effect until the substantial completion of the Project from the date of adoption by the Selectboard on June 24, 2019, Any portable signs in place under these bylaws shall be removed after November 15, 2019.

4. Enforcement

Enforcement of these Interim Bylaws shall be as provided for in 24 V.S.A. Chapter 117, §4451, and Section 2.13 of the Stowe Zoning Regulations.

Abby Earle

From: Abby Earle
Sent: Friday, May 31, 2019 12:29 PM
To: Charles Safford
Subject: Temporary Signage

From: Sarah McShane
Sent: Monday, May 20, 2019 8:39 AM
To: Charles Safford <csafford@stowevt.gov>
Cc: Tom Jackman <tjackman@stowevt.gov>

Hi Charles,

In terms of signs within the public right-of-way, the regulations offer the following guidance...i.e. if a sign is placed in the right-of-way, it needs approval from the town or VTrans. If the proposed sign is exempt under Section 14.11 it would not require a zoning permit, only approval from the town or VTrans. Otherwise a zoning permit would be required.

“(7) No signage is permitted within a public right-of-way unless approved by the appropriate authority.”

In terms of temporary signage, the regulations offer the following guidance... i.e. businesses can mount a temporary sign on the existing sign support or on the building, within the below parameters. No zoning permit is required for temporary signs.

14.7 Temporary and Portable Signs

(1) Temporary signs must be either securely mounted on the principle building or securely mounted on or below a permanent sign structure. If mounted below a permanent sign, the total area of all temporary and permanent signage shall not exceed the total area allowed for the permanent sign. One temporary sign, mounted on the building, not to exceed twelve (12) square feet in area, is permitted per business in addition to those allowed on or below the permanent sign. Seasonal businesses are permitted to use a temporary or portable sign up to twelve (12) square feet in lieu of a permanent sign.

In terms of exempts signs that do not require a permit, the following are allowed: (I've highlighted the exempt signs that might be of interest to business owners impacted by the sidewalk project.)

14.11 Signs Exempt from These Regulations and Not Requiring a Permit

- (1) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
- (2) Government signs
- (3) Window signs, posters, banners, stencils or lettering on the inside of a window, except for neon signs or self-illuminated signs.
- (4) Works of art that do not include a commercial message and do not relate directly to the business where the work of art is displayed;

- (5) For commercial uses, decorative flags not larger than six (6) square feet that are mounted on the building or a pole attached to the building. Such decorative flags are limited to not more than two per business;
- (6) Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Agency of Transportation standards and which contain no commercial message of any sort;
- (7) Street number identification signs, no larger than 3 square feet
- (8) Flags, pennants and insignias of any government when attached to a flag pole.
- (9) Temporary signs permitted under these regulations.
- (10) Signs, including portable signs, no larger than twelve sq. ft. that are not visible from a public road or right-of-way or are at least 50 ft. from the highway ROW, within the commercial districts, SKI-PUD and Resort PUD
- (11) Directional signs, including portable signs, for events with fifty (50) or less people are permitted for the day of the event. Directional signs, including portable signs, for events involving more than fifty (50) people are permitted for up to seven (7) days. Directional event signs are meant to assist with traffic control and must include directional information on how to get to the event. Such signs are only permitted in the public right-of-way if permission is obtained from the appropriate governmental body.
- (12) Menu boards no larger than four (4) sq. ft. permanently mounted to the building or a post.
- (13) Political signs and signs exercising freedom of speech no larger than twelve (12) sq. ft.
- (14) "No Trespassing" signs no larger than 24" x 18".

The Town of Waterbury is in the process of interim zoning hearings to allow greater flexibility in the town's temporary signage regulations during the sidewalk project. If there was similar interest here, the Selectboard could adopt interim zoning to allow for portable signs (i.e. sandwich boards).

Let me know if you have any questions.

Thanks,
Sarah

Abby Earle

From: Aimee Green <aimee@stovevibrancy.com>
Sent: Thursday, June 6, 2019 9:42 AM
To: Charles Safford
Subject: Fwd: Interim Zoning Request for Businesses Sandwich Boards

Charles, I sent this last night to you, but it bounced back.

Please confirm receipt.

Thanks so much!
Aimee

Begin forwarded message:

From: Aimee Green <aimee@stovevibrancy.com>
Date: June 5, 2019 at 11:19:14 PM
Subject: Interim Zoning Request for Businesses Sandwich Boards

Hello Charles,

Stowe Vibrancy is requesting interim zoning to allow one sandwich board per business during the Main Street Overhead Utility / Sidewalk Project within the designated downtown as a way to assist the businesses during this period of transition and construction.

We will work with all local, effected, businesses to ensure that signs will be placed to not interfere with construction, nor placed on the travel portions sidewalks and ensure that they do not impede with ADA.

We will have representatives making this request at the meeting on June 10th at 5:30pm.

Thank-you, in advance, for your time and consideration.

My Best,
Aimee