

**STATE OF NEW HAMPSHIRE**

THE POLLS WILL BE OPEN FROM 7 AM TO 7 PM

To the inhabitants of the Town of Stratham in the County of Rockingham, in said State, qualified to vote in Town Affairs.

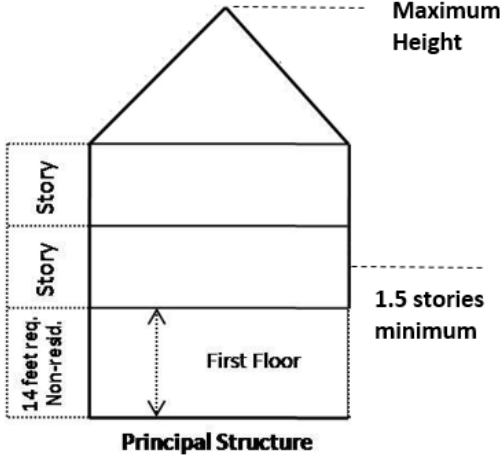
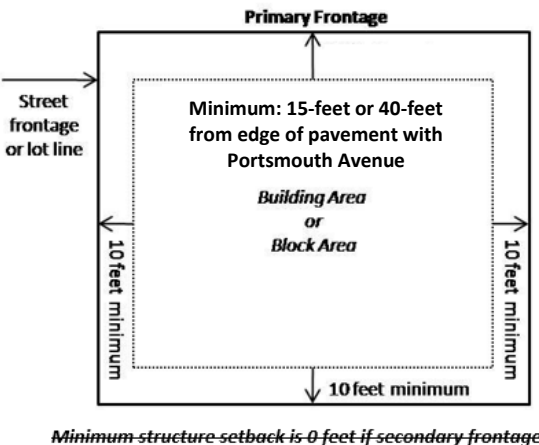
You are hereby notified and warned to meet at the Stratham Memorial School on Tuesday, on the fourteenth day of March, 2023, next at seven o'clock in the forenoon, to act upon the following subjects:

**Article 1:** To choose all necessary Town Officers for the year ensuing.

**Article 2:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section 3.8.8 *Gateway Commercial Business District*, Table 2 to increase the minimum front setback for developments in the Gateway Commercial Business District and to clarify how building height is measured in the District. The purpose of this amendment is to require greater front setbacks along Portsmouth Avenue to ensure the provision of landscaping and pedestrian facilities and to clarify that building height is measured to the highest point of the roofline.

TABLE 2.

Building Height		Setbacks – Principal All Structures	
Principal Structure <sup>1</sup> (maximum)	3 stories 40 feet maximum height	Frontage (from street or lot line)	0' 15' minimum <sup>2</sup> 15' 40' maximum <sup>2</sup>
Principal Structure <sup>1</sup> (minimum)	1.5 stories	Side or Secondary Frontage (from street or lot line)	10' minimum 0 feet if secondary frontage <sup>2</sup>
<sup>1</sup> Principal Structures include: (1) uses served by single and multiple structures and (2) parking structures			
<sup>2</sup> The minimum building/structure front setback requirement for properties fronting Portsmouth Avenue shall be <del>ten (10) feet</del> <b>fifteen (15)</b> from the State Right-Of-Way or <del>twenty (20)</del> <b>forty (40) feet</b> from the edge of pavement <b>with Portsmouth Avenue</b> , whichever is greater.			
First Floor Height	14 feet minimum required for non-residential; 10 feet minimum required for residential	Rear (from street or lot line)	10 feet minimum 0 feet if secondary frontage
		Note: Individual buildings on a lot or block may be <u>connected</u> , with no separation between or setback from one another.	
			
Principal Structure		Minimum structure setback is 0 feet if secondary frontage	

*The Planning Board recommends this article by unanimous vote.*

**Article 3:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section 4.2 *Table of Dimensional Requirements* to reduce the front setback for properties in the Professional/Residential District that abut residential uses from 100-feet to 20-feet. The purpose of this amendment is to make the front setback more consistent with other zones in Stratham and to allow for the redevelopment of uses on small properties where the existing setback requirement makes redevelopment unfeasible.

- (b) When the footnoted professional/residential, ~~commercial, office, or industrial~~ uses abut residential uses or a residential district, the minimum front ~~and rear~~ setbacks shall be ~~100~~ **20** feet and the side ~~and rear~~ setbacks shall be ~~50~~ **30** feet.

*The Planning Board recommends this article by unanimous vote.*

**Article 4:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section 3.8.8 *Gateway Commercial Business District*, Table 4 to establish minimum standards for sidewalks, driveways, and electric vehicle charging stations in the Gateway Commercial Business District. The purpose of this amendment is to add minimum standards for driveways and sidewalks to reduce conflict points between pedestrians and motorists and to add provisions for electric vehicle charging facilities.

**Section 4.1. Driveway, Sidewalk, and Electric Vehicle Charging Station Standards:**

The following standards shall apply to sites in the Gateway Commercial Business District and are supplemental to all requirements of the Site Plan Regulations. The Planning Board shall be empowered to waive any of the following requirements of this Section. For this Section, new development, redevelopment, or significant site improvements shall include any project where more than 2,500 square-feet of new additional interior space is proposed or any site improvement or redevelopment valued at \$500,000 or more. These regulations are enacted in order to support the Town's efforts to provide for a more pedestrian-friendly environment.

**a. Driveways**

- i. Properties with between 50 and 599 feet of frontage along Portsmouth Avenue shall be afforded one driveway curb cut on to Portsmouth Avenue. Properties with a minimum of 600-feet of frontage along the Portsmouth Avenue shall be afforded up to two driveway curb cuts provided the curb cut locations are spaced at least 400-feet apart.
- ii. No driveway curb cut for a commercial, multi-family residential or mixed use site shall be sited within 200 linear feet of an existing intersection or driveway curb cut on the same side of the street unless a waiver is granted by the Planning Board. Where a driveway is proposed within 200-feet of a proposed driveway location and a waiver is requested, the applicant shall make reasonable efforts to determine if a shared-use driveway between the properties is feasible before submitting a waiver request.
- iii. All non-residential and multi-family development shall be served by driveways having a minimum width of 20-feet and a maximum width of 30-feet. Wider driveways may be permitted if necessary for safe site circulation and Fire Department access. Vehicular turning lanes shall not be counted toward the maximum driveway width.
- iv. The angle of entry to new driveways shall be as close as ninety (90) degrees as is practicable.

**b. Sidewalks/Pedestrian Facilities**

i. On properties with frontage along Portsmouth Avenue where new development, redevelopment, or significant site improvements are proposed, sidewalk facilities shall be provided along the Portsmouth Avenue frontage. Sidewalks shall be subject to the following standards:

1. Sidewalks shall be constructed of concrete. Sidewalks shall not be constructed of gravel or asphalt.
2. Sidewalks on the west side of Portsmouth Avenue shall be a minimum of five-feet in width. Sidewalks on the east side of Portsmouth Avenue shall be a minimum of eight-feet in width.
3. Whenever practicable, sidewalks shall be fully separated from Portsmouth Avenue and situated a minimum of eight-feet from the edge of pavement of Portsmouth Avenue. A grassy or landscaped esplanade shall be provided between the sidewalk and the travel lanes.
4. When sidewalks are present on an abutting parcel on the same side of Portsmouth Avenue, the sidewalk shall be constructed to provide a seamless connection between the parcels.
5. Whenever practicable, pedestrian crossings across driveways shall be provided at the narrowest width of the driveway and within clearly designated crosswalks. If a pedestrian crossing at a driveway exceeds 35-feet in width, a curbed pedestrian refuge island shall be provided.

c. Electric Vehicle Charging Facilities

1. Where new development, redevelopment, or significant site improvements are proposed, at least one electric vehicle charging station facility shall be provided for parking lots with at least 20 parking spaces. A minimum of one electric vehicle charging facility shall be provided for every 20 parking spaces proposed.

*The Planning Board recommends this article by unanimous vote.*

**Article 5:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section 3.8.6 *Gateway Commercial Business District Conditional Use Permit* and Section 3.8.8.a *Gateway Commercial Business District Permitted Uses by Zone*. This is a housekeeping amendment to correct clerical errors and ensure consistency of terms and uses between this Section and Table 3.6, Table of Uses.

a. Permitted Uses ~~by Zone~~

Type of Use	Gateway Zone
-------------	--------------



**17- Places of worship shall be permitted subject to the requirements of Section 3.3 of the Site Plan Regulations.**

*The Planning Board recommends this article by unanimous vote.*

**Article 7:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section IV *Dimensional Requirements* to establish maximum residential densities in Stratham's commercial districts and to clarify that only one primary dwelling shall be permitted on lots in the Residential/Agricultural and Manufactured Housing Districts. This requirement exempts agricultural properties and housing developments approved as part of condominium or mobile home park forms of development.

#### **4.1.4 Maximum Residential Density**

**For properties serviced by on-site septic facilities, the maximum residential density of a parcel shall be determined by computing the maximum septic capacity of the parcel as determined by the NH Department of Environmental Services. However in no case shall the maximum allowable residential density exceed the following:**

**Gateway Commercial Business District: 5 units per acre**

**Town Center District 4 units per acre**

**Flexible Mixed Use District 4 units per acre**

**Professional/Residential District 3 units per acre**

**Route 33 Heritage District 3 units per acre**

**Special Commercial Districts 3 units per acre**

#### **4.1.5 Primary dwellings in residential districts**

**Unless permitted as part of a condominium or mobile home park form of development, only one primary dwelling shall be permitted on individual parcels within the Residential/Agricultural and Manufactured Housing Districts. Parcels where agriculture is the primary use shall also be exempt from this requirement.**

*The Planning Board recommends this article by unanimous vote.*

**Article 8:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance by deleting Section VII *Signs* in its entirety and replacing with a revised Section VII *Signs* in order to incorporate legal amendments to the Town's Sign Ordinance necessitated by decisions of the United States Supreme Court which limits how municipalities may regulate sign content.

## 7.2 DEFINITIONS

g. ~~Sign, Banner:~~ A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frame(s). ~~Flags and insignias containing markings of any government, corporation or business are not considered banners, and are defined as Flags. (Adopted 03/11)~~

i. Sign, Contractor's / Development Sign: A temporary sign advertising the contractor or development firm actively engaged in developing the site or parcel on which the sign is located. (Rev. 3/07) **displayed on a parcel with an active building permit for a major renovation project or new development.**

y. Sign, Real Estate: A temporary non-electrical ground or wall sign that either:

i. ~~Advertises the on-site sale, rental or lease of the premises or a portion thereof; or~~

ii. ~~The off-site advertising (including balloons) of an open house. (Adopted 03/11)~~

z. Sign, Snipe: An informal off-premises sign which is tacked or otherwise attached to a tree, pole, stake, fence, other sign structure, or other structure advertising an organization or activity or displaying a message which is not applicable to the present use of the site upon which the snipe sign is attached. (Adopted 03/07)

## 7.5 EXEMPT SIGNS

a. ~~Flags, of no more than 15 square feet in size and solely containing one word such as "open", "antiques", "food", or "restaurant". To be exempt from the sign permit requirements, Properties are limited to one of these Flags unless the property is located on a corner and has two (2) sides on a public way in which case the property may use two of these (2) Flags, one on each side.~~

b. ~~Agricultural Signs are exempt from the sign permit requirements of this Article so long as on-site signs are limited to directional signs (one roadside, no limit if unseen from the public right of way) and signs listing agricultural or horticultural products grown or produced by the resident seller, in season, for such operations as farm stands or Christmas tree sales. (Rev. 3/16)~~

c. **Wall or window Signs no greater than two (2) square feet in area provided that such signage is limited to no more than six signs per use.** ~~and containing messages such as Open, Closed, Vacancy, No Vacancy and credit card, telephone, restroom, gasoline prices, and other similar informational messages.~~

d. ~~Not For Profit Fundraising/Non-Taxable Entity event signs which may be permitted on the same site as a permitted event, or off-premise on private property, with owner's permission, subject to the same time limits as the permitted event, and where such sign may not exceed sixteen (16) square feet in surface area (Rev. 3/18).~~

e. ~~Temporary Signs not covered in the foregoing categories, provided that such signs meet the following restrictions:~~

i. ~~Not more than one (1) such sign may be located on any lot;~~

ii. ~~No such sign may exceed six (6) square feet in surface area; and,~~

iii. ~~The maximum sign height shall be six (6) feet above grade to the top of the sign and its supporting structure.~~

- ~~iv. Such a sign may not be displayed for longer than seven (7) consecutive days or no more than fourteen (14) days out of any one (1) year period.~~
- ~~v. The Code Enforcement Officer is authorized to mark temporary signs in any reasonable way that does not interfere with the content of the temporary sign so as to ensure compliance with this Article.~~

**Sign, Temporary:** A ground-mounted sign or banner affixed to the façade of a structure, without a permanent foundation, ~~any sign~~ established for any period of less than ~~six~~ 120 days. A Temporary sign shall not include Contractor's/Development signs, signs located on parcels that are for sale or lease, or political signage.

## **7.6 PROHIBITED SIGNS**

- a. Consistent with existing current federal caselaw and constitutional protections, the Town will not regulate sign content, with the exception of obscene speech. Signage shall not include obscene speech. Obscene speech is defined as content that appeals to the prurient interests in sex, which describes, represents or portrays sexual conduct in a patently offensive way, and when the signage, viewed as a whole, does not include any serious literary, artistic, political, or scientific value.

## **7.8 GENERAL STANDARDS AND CRITERIA FOR SIGNS**

### **iv. Lettering:**

- ~~1. No more than two (2) lettering styles shall be permitted per sign.~~
- ~~2. Letters may be attached to the building facade.~~
- ~~3. Light colored letters on a dark background are preferred. Dark letters on a light background shall only be permitted if it complements the building's color composition.~~
- 4. 1. Lettering and signboards shall be located so as not to obstruct architectural detailing on the building face.
- ~~5. Product trademarks are discouraged; however, trade signs (e.g., a shoe for a cobbler, a mortar and pestle for a druggist) are preferred.~~
- ~~6. Letter styles shall be limited to the classic genre, i.e., Copper plate Gothic, Times, Franklin Gothic, Benton, Clarendon, Haas Helvetica, Folio Caravelle Medium, Windsor, and Times Roman.~~
- ~~7. The size of the lettering shall be in proportion to both the sign configuration and the building.~~

### **v. Color:**

- ~~1. No more than three (3) colors are preferred, including black/white. Lettering shall preferably be one (1) color.~~
- ~~2. Colors used in signage should relate to the color composition of the building material and be compatible with them.~~



- ~~3. The determination of sign color must relate to the degree of contrast between the sign lettering and sign background.~~

## **7.9 GENERAL REGULATIONS**

**ii. Real estate, contractor, and development signage:** ~~Contractor's Sign: Shall be required to obtain a permit and comply with the conditions listed below:~~

- ~~1. Contractor signs may not be placed on the property prior to fourteen (14) days before the expected start of construction or upon issuance of a building permit (whichever is later) nor maintained on the property beyond fourteen (14) days after completion of work or upon issuance of a Certificate of Occupancy (whichever is earlier). On properties that are currently listed for sale or for lease, one additional temporary sign may be permitted, in addition to any temporary sign permitted under Section 7.9.viii of the Ordinance, for the duration that the property is listed for sale or for lease. Signage of this nature shall not be illuminated.~~
- 2. On properties that are actively under land development, one temporary sign not to exceed 24 square-feet in area shall be permitted. Signage of this nature shall not be illuminated. No more than one sign per contractor may be placed on the site and the total area of all contractors' signage shall not exceed thirty-two (32) S.F.**
- ~~3. Contractor signs shall be located outside of the public right-of-way.~~
- ~~4. Contractor signs shall not exceed a maximum height of ten (10) feet.~~
- ~~5. Contractor signs shall not be illuminated.~~
- ~~6. Signs, which advertise for a contractor who does continual maintenance or service of a site, shall not be allowed.~~

**iii. Development signs:**

- ~~1. Development signs shall require a permit and may not be placed on the property prior to fourteen (14) days before the expected start of development activity nor maintained on the property beyond fourteen (14) days after issuance of the final certificate of occupancy or four (4) years from the original date of issue. The Code Enforcement Officer may issue additional sign permits on an annual basis only beyond the original permit, if he finds that significant sales activity is taking place on the site. Significant sales activity may be determined to be a staffed sales office, regular on-site sales staff hours for lots or new units or continued new unit construction activities.~~
- ~~2. Development signs shall be located outside of the public right-of-way.~~
- ~~3. Development signs shall not exceed a maximum height of ten (10) feet.~~
- ~~4. Development signs shall not be illuminated.~~

**vii. Institutional Signs:**

- ~~1. Signs setting forth the name of any simple announcement for any public, charitable, educational or religious institution located entirely within the premise of that institution, up to an area of 24 square feet. Such signs may be illuminated in accordance with the regulations contained herein. If building mounted, these signs shall be flat wall signs and shall not project above the roofline. If ground mounted, the top shall be no more than eight (8) feet above ground level.~~
  - ~~2. Signs erected by community, social, religious, and fraternal organizations, shall not be displayed for longer than seven (7) consecutive days or no more than fourteen (14) days out of any one (1) year period for a fund raising or community event. The sign shall not be larger than six (6) square feet and be a maximum height of six (6) feet above grade to the top of the sign and its supporting structure.) Such sign shall be placed only on the premises where the event is to be held or conducted.~~
  - ~~3. Signs shall be located outside of the public right of way.~~
- ~~viii. Real Estate Signs: Signs four (4) S.F. or smaller in size do not need to obtain a permit as long as they comply with the conditions listed below. Any sign in excess of four (4) S.F. shall require a permit.~~
- ~~1. Real estate signs may only advertise the property on which they are situated.~~
  - ~~2. Real estate signs may not be illuminated.~~
  - ~~3. There may be no more than one sign per street frontage.~~
  - ~~4. The signs must be removed within thirty (30) days of consummation of the sale or lease.~~
  - ~~5. A portable real estate open house sign not to exceed two (2) square feet may be placed off-site only on the day of the open house and no longer than one (1) hour before and thirty (30) minutes after the open house is taking place.~~
- ~~ix. Service/Civic Association Signs:~~
- ~~Service and civic associations, defined as organizations established by local citizens and which have non-profit tax status, may apply to the Board of Adjustment for a special exception to erect signs in the municipality providing that the following conditions are met:~~
- ~~1. An individual sign is no larger than six (6) square feet;~~
  - ~~2. The organization has written permission for placement of the sign from the landowner; and~~
  - ~~3. The sign will not cause a safety hazard or have a visual effect on the surroundings.~~
- ~~x. Yard Sale Signs:~~
- ~~Do not need to obtain a permit as long as they comply with the conditions listed below.~~

- ~~1. Yard sale signs may not be placed prior to three (3) days before the sale and must be removed within 1 day after the sale.~~
- ~~2. They may not exceed six (6) square feet and may not be illuminated.~~
- ~~3. The signs may be placed off premises for noncommercial sales related to a single residential dwelling unit (or informal joint sales among neighbors) only provided they are not placed on utility poles and are not a distraction to traffic.~~

*The Planning Board recommends this article by unanimous vote.*

**Article 9:** Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section VII *Signs* in order to both incorporate legal amendments to the Ordinance and to amend regulations on signage, limiting the size, height, and illumination of signage in order to control visual clutter along roadways, reduce distractions caused by signage to motorists, and to improve the aesthetics of commercial corridors in Stratham.

## 7.1 **PURPOSE & INTENT**

The purpose of this Section is to establish uniform regulations for the installation and use of signs in the Town of Stratham and to protect and improve the livability and quality of life in Stratham through sign regulations that:

- a. Encourage the effective use of signs as a means of communication in Stratham;
- b. Protect the health, safety, and welfare of the public, with a specific focus on improving pedestrian and traffic safety **by reducing distractions to motorists and limiting the visual impacts of signage along roadways;**
- c. Maintain and enhance the appearance and aesthetic environment of Stratham, **including of the community's commercial corridors;**
- d. Maintain and **enhance** ~~promote~~ the rural, agricultural, and historical character of Stratham;
- e. Control visual clutter **along roadways and on buildings** and encourage high-quality professional standards in sign design and display.
- f. Promote signs that are harmonious in color, material and lighting with the buildings and surroundings to which they relate, while minimizing the adverse effects of signs on nearby public and private property; and
- g. Retain and enhance the Town's ability to attract and encourage economic development and ~~growth~~ **community vitality.**
- h. To reduce light pollution and glare associated with exterior lighting sources and to preserve and enhance the visibility of night-time skies in all areas of Stratham.**

## 7.2 **DEFINITIONS**

The following words and phrases shall have the meaning described herein for all purposes associated with the construction and interpretation of the Sign Ordinance.

- a. Flag: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution; a decoration during public festivities; or displayed outside a business and solely containing one word such as “open”, “antiques”, “food”, or “restaurant”.
- b. Lineal Building Frontage: The length of a ground level straight line or lines parallel to and equaling the length of the building front that includes the main public entrance(s) or the side of the building fronting on the principal roadway. In the case of a multi-unit development the frontage of each separate building is additive for the purpose of determining permissible sign area.
- c. Sign: Any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public, and which directs attention to a product, place, activity, person, institution or business. A sign shall include writing, representation, or other figure of similar character within a building only when illuminated and located in a window.
- d. Sign, Agricultural, Temporary / Seasonal: A temporary sign advertising or providing direction to a Farm Stand or farm/agricultural sales activity. The sign shall be seasonal or temporary in nature, may be located off-site, and within a public right-of-way. (Adopted 03/07)
- e. Sign, Attached: A sign, which is attached to a building wall and which extends eighteen (18) inches or less from the face of such wall.
- f. Sign, Awning: A sign painted on or attached flat or flush against the surface of the awning, but not extending above, below or beyond the awning or attached to the underside. The copy area on awnings is computed as all or a portion of the allowed wall sign area. (Adopted 03/11)
- ~~g. Sign, Banner: A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frame(s). Flags and insignias containing markings of any government, corporation or business are not considered banners, and are defined as Flags. (Adopted 03/11)~~
- h. Sign, Canopy or Marquee: Any sign attached to or part of a canopy or marquee. The copy area on such signs is computed as all or a portion of the allowed wall sign area. (Adopted 03/11)
- i. Sign, Contractor's / Development Sign: A temporary sign ~~advertising the contractor or development firm actively engaged in developing the site or parcel on which the sign is located. (Rev. 3/07)~~ **displayed on a parcel with an active building permit for a major renovation project or new development.**
- j. Sign, Directional: Signage necessary for on-site public safety and convenience. (Adopted 03/11)
- k. Sign, Directory: Signs which are necessary to identify and locate occupants of a building, including office buildings, residences, and church directories. (Adopted 03/11)

- ~~l. Sign, Event Specific: A temporary sign used to announce an event such as a festival, dance, business opening, sale, meeting, fund raiser, parade or other event.~~
- m. Sign, Flashing: Any sign or signal light with continuously variable illumination, whether achieved electrically or mechanically.
- n. Sign, Freestanding / Monument: A sign established on a freestanding frame, mast or pole and not attached to any building. Where such signs are established back to back, the larger face shall be used for the calculation of allowable area. Also known as detached sign, freestanding sign, pole sign, ground sign or pylon sign. (Adopted 03/11)
- o. Sign, Height: The vertical distance measured from the adjacent undisturbed grade of the sign to the highest point of the sign. (Adopted 03/11)
- p. Sign, Historic Marker: A marker that identifies an historic place, person, event or date and is erected by a historical organization or by a government agency. (Adopted 03/11)
- q. Sign, Illuminated: Any sign which emanates light either by means of exposed tubing, electrical bulbs, fluorescent lights, neon tubes or lamps on its surface, or by means of illumination transmitted through the sign face(s). Any decorative lighting that is used expressly for the purpose of advertisement shall be construed as a sign. (Adopted 03/11)
- r. Sign, Landmark: An older sign of artistic or historic merit, uniqueness, or extraordinary significance, as identified by the local historical organization. The character of landmark signs warrants their preservation in original condition, or their restoration. (Adopted 03/11)
- s. Sign, Nonconforming: Any sign which was lawfully established prior to the date this Ordinance was adopted, and which fails to conform to the specifications of this Ordinance. (Adopted 03/11)
- ~~t. Sign, Parking: Signs that identify available spaces or areas for parking of vehicles. Parking signs are deemed "Directional Signs" for the purposes of this Ordinance. (Adopted 03/11)~~
- u. Sign, Permanent: A permanent sign is any sign established for a period of greater than six (6) months. (Adopted 03/11)
- v. Sign, Political: Signs that advertise a candidate, party, position or other political issue. The provisions of RSA Chapter 664 and any other applicable state laws relative to political advertising are incorporated herein by reference.
- ~~w. Sign, Portable: Any sign not permanently attached to the ground or a building. Also see "Contractor's/Development Sign," "Temporary Sign." (Adopted 03/11)~~
- x. Sign, Projecting: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building. (Adopted 03/11)
- ~~y. Sign, Real Estate: A temporary non-electrical ground or wall sign that either:~~
- ~~iii. Advertises the on-site sale, rental or lease of the premises or a portion thereof; or~~
- ~~iv. The off-site advertising (including balloons) of an open house. (Adopted 03/11)~~

- ~~z. Sign, Snipe: An informal off-premises sign which is tacked or otherwise attached to a tree, pole, stake, fence, other sign structure, or other structure advertising an organization or activity or displaying a message which is not applicable to the present use of the site upon which the snipe sign is attached. (Adopted 03/07)~~
- aa. Sign Structure: Any framework, either freestanding or an integral part of the building, which supports or is capable of supporting any sign, including decorative cover. (Adopted 03/11)
- bb. Sign, Temporary: A **ground-mounted sign or banner affixed to the façade of a structure, without a permanent foundation**, ~~any sign~~ established for any period of less than ~~six~~ **120 days**. A **Temporary sign shall not include Contractor's/Development signs, signs located on parcels that are for sale or lease, or political signage.** ~~(6) months.~~ (Adopted 03/11)
- cc. Sign, Utility: These signs are noncommercial in nature and identify the location of gas lines, water lines or phone cables, often warning of the potential hazard of digging or excavation in the immediate area.
- ~~dd. Sign, Vehicle: A sign mounted onto, or otherwise affixed to (a) the body or window of a motor vehicle, or (b) any other device designed for transport on any public roads. (Adopted 03/07)~~
- ee. Sign, Wall/Building: Any sign attached parallel to the building wall or other surface to which it is mounted that does not extend more than fourteen (14) inches from said surface and has only one (1) sign face that is intended to be read parallel to the wall or other surface to which it is mounted. This sign also includes any sign established on any other part of a building provided that the sign is on a plane parallel to the wall of the building. Wall/Building signs may not project above the top of a parapet, wall or the roof line at the wall, whichever is highest. A wall/building sign is also a sign established on a false wall or false roof that does not vary more than thirty (30) degrees from the plane of the building's parallel wall. (Adopted 03/11)
- ff. Sign, Window: A sign that is applied to or attached to the exterior or interior of a window or located in such a manner within a building that is visible from the exterior of the building through a window, but excludes merchandise in a window display. (Adopted 03/11)

### 7.3 ADMINISTRATION

- a. The Administrator of this sign Ordinance shall be the Code Enforcement Officer. The Code Enforcement Officer shall have the responsibility and authority to administer and enforce all provisions of this Ordinance, other than those provisions with powers specifically reserved to the Board of Selectmen, Planning Board, ~~Technical Review Committee~~, or the Zoning Board of Adjustment.
- b. All signs shall be reviewed for compliance with the applicable state and federal building codes.
- c. **Site Plan Review – When proposed as part of a new development or redevelopment, the proposed signage, to the highest extent practicable, shall be included in the site**

plan application materials for review by the Planning Board. This information shall include the proposed dimensions and illumination sources of proposed signage.

- c. Relief – Any relief sought from the requirements of this sign ordinance may be brought before the Planning Board in the form of a Conditional Use Permit application. The Planning Board shall have the authority to grant or deny a request for a Conditional Use Permit, pursuant to the provisions of RSA 674:16 and RSA 674:21, after proper public notice and public hearing where the Planning Board finds that an application complies with standards i and ii below:

i. The application shall comply with all of the purpose statements of this Sign Ordinance as stipulated under Section 7.1.

ii. Deviations from this Sign Ordinance shall be to the smallest extent necessary to both comply with the purpose statements of this Ordinance and to fulfill the objectives of the applicant.

~~, having been denied by the Code Enforcement Officer, may be brought before the Zoning Board of Adjustment.~~

#### **7.4 PERMIT PROCEDURES (REV. 3/18)**

~~No sign, except as provided by Section 7.5 and Section 7.6 shall be erected, displayed, altered, relocated, or replaced until the Code Enforcement Officer issues a sign permit.~~

- a. **Permit Application:** The Code Enforcement Officer may adopt from time to time such application procedures as the Code Enforcement Officer may find efficient, provided that the procedures are consistent with the Sign Ordinance and other applicable law. Applications for sign permits shall be submitted on forms provided by the Town, completed as required; at a minimum, they shall have attached the following information, in either written or graphic form:

- ~~i. A completed sign permit application form.~~
- ~~ii. A certification from a registered engineer and/or licensed architect licensed to practice in New Hampshire upon request by the Code Enforcement Officer.~~
- ~~iii. A non-refundable application review fee in an amount to be set by the Board of Selectmen.~~
- ~~iv. An illustration of the proposed sign(s), drawn to scale, that includes the following information:~~
  - ~~1. The total area of the proposed sign(s) in square feet.~~
  - ~~2. The proposed support structure for the proposed sign(s).~~
  - ~~3. The proposed sign structure height.~~
  - ~~4. The setback(s) of the proposed sign(s).~~
  - ~~5. The location(s) of the proposed sign(s).~~
  - ~~6. The relationship of the proposed sign(s) to the property on which the proposed sign(s) is to be located and/or the buildings thereon.~~

- ~~7. A photograph of existing signage, including dimensions drawn onto the photograph; provided, however, for multi-unit properties, condominiums and the like, the applicant need only submit a photograph detailing existing signage for the Applicant's particular unit.~~
- ~~8. The material from which the proposed sign(s) is to be constructed.~~
- ~~9. Design information such as illumination, function, name and contact number for individual(s) responsible for the installed sign, and other essential characteristics of the proposed sign(s) (Rev. 3/18).~~

**b. Permit Review and Action:**

- ~~i. Completeness Review: The Code Enforcement Officer shall determine whether the sign permit application is complete within ten (10) calendar days after the application is filed.~~
- ~~ii. All new signage, related to any new development, which may require Site Plan Review and/or Conditional Use Permit and not exempted in Section 7.5 shall receive Planning Board approval prior to the issuance of any permit.~~
- ~~iii. Decision:~~
  - ~~1. The Code Enforcement Officer shall either approve or deny the sign permit application within the time periods specified below after the Code Enforcement Officer determines that the application is complete. Applications found to be incomplete shall be denied.~~
  - ~~2. Upon a finding by the Code Enforcement Officer that the sign permit application complies with the provisions of this Ordinance, the Code Enforcement Officer shall cause to be issued a sign permit for installation by the applicant. The sign permit shall be issued within ten (10) calendar days of the date on which the application was deemed complete.~~
  - ~~3. If the sign permit application is denied, the applicant shall be notified within ten (10) calendar days of the date on which the application was deemed complete. The notice of denial shall specifically explain any deficiencies in writing in the application and how the applicant may proceed under this Section.~~
  - ~~4. The Code Enforcement Officer shall not consider any sign permit application until the Code Enforcement Officer has determined that the application is complete.~~
  - ~~5. No sign permit shall be issued in any case of an incomplete sign permit application.~~
  - ~~6. No sign permit may be issued until all fees have been paid and other requirements of the Sign Ordinance have been satisfied.~~
- ~~iv. Approval Criteria: The Code Enforcement Officer shall issue the requested sign permit if the sign permit application complies with this Ordinance. Otherwise, the Code Enforcement Officer shall deny the sign permit application.~~



- ~~v. Photograph. When the sign has been completed, the Applicant shall photograph both sides of the completed sign and forward the photograph to the Code Enforcement Officer; the photo must show the responsible party's name and contact number displayed on the installed sign. The Code Enforcement Officer shall then inspect the sign. (Rev. 3/18)~~
- ~~vi. Inspection for Compliance. The Code Enforcement Officer, or a designee, shall perform a final inspection after installation of any approved sign.~~
- ~~vii. Discrepancies. Any discrepancies between any sign as approved and the sign as constructed shall be identified in writing by the Code Enforcement Officer and may result in the halt of construction and correction of the discrepancy.~~

## 7.5 EXEMPT SIGNS

The following signs are exempt from the permit requirements of this Article, but are otherwise subject to the standards contained herein. Any failure to comply with these standards and any other provisions of this Article shall be considered a violation of the Zoning Ordinance.

- a. Nameplate signs giving property identification names or numbers, or names of occupants.
- b. Signs on mailboxes or newspaper tubes.
- c. Signs posted on private property warning the public against trespassing, danger from animals, or restricting specific recreational activities which signs shall each be no greater than two (2) square feet in area.
- d. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- e. Signs required by Town Ordinance.
- f. Historic marker signs, provided that said signs are no more than two (2) square feet.
- g. Utility Signs.
- h. Flags of any governmental organization when not displayed in connection with a commercial promotion or as an advertising device. No flag shall be flown from a pole that is more than fifty (50) feet in height.
- ~~i. Directional Signs that do not exceed four (4) square feet each and that bear no advertising matter; the total number of signs per location shall not exceed two (2) in number (Rev. 3/18).~~
- ~~j. Real Estate Signs if limited to one (1) per premises and four (4) square feet in area in residential zones and thirty two (32) square feet in all other zones. These signs shall be removed within thirty (30) days of settlement or lease of the property. (Rev. 3/17)~~
- ~~k. Construction Site Identification Signs / Permanent Subdivision Signs shall not exceed thirty two (32) square feet in area, and shall not be illuminated.~~

- l. Signs erected in connection with elections or political campaigns shall comply with all provisions of NH RSA 664:14-21. No such sign may exceed the sign area permitted for other signs within the zoning district in which it is located.
- ~~m. Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival, or similar event is to take place on the lot where the sign is located. Such signs may be erected not sooner than fourteen (14) days before the event and must be removed not later than three (3) days after the event. Please see Section 7.10.b.vi. for number and area requirements.~~
- n. Directory Signs, **located at least 25 (twenty-five) feet from a right-of-way**, that do not exceed four (4) square feet in area.
- o. Landmark Signs or other signs that are located on, or are an integral part of, a property that has been placed on or determined eligible for the National Register of Historic Places, provided that such signs are recognized as contributing to the National Register status of the property.
- ~~p. Flags, of no more than 15 square feet in size and solely containing one word such as "open", "antiques", "food", or "restaurant". To be exempt from the sign permit requirements, Properties are limited to one of these Flags unless the property is located on a corner and has two (2) sides on a public way in which case the property may use two of these (2) Flags, one on each side.~~
- q. Agricultural Signs are exempt from the sign permit requirements of this Article so long as on-site signs are limited to directional signs (one roadside, no limit if unseen from the public right of way) and signs listing agricultural or horticultural products grown or produced by the resident seller, in season, for such operations as farm stands or Christmas tree sales. **(Rev. 3/16)**
- r. **Wall or window Signs** no greater than two (2) square feet in area **provided that such signage is limited to no more than six signs per use.** and containing messages such as Open, Closed, Vacancy, No Vacancy and credit card, telephone, restroom, gasoline prices, and other similar informational messages.
- ~~s. Not For Profit Fundraising/Non-Taxable Entity event signs which may be permitted on the same site as a permitted event, or off-premise on private property, with owner's permission, subject to the same time limits as the permitted event, and where such sign may not exceed sixteen (16) square feet in surface area **(Rev. 3/18)**.~~
- t. Temporary Signs not covered in the foregoing categories, provided that such signs meet the following restrictions:
  - i. ~~Not more than one (1) such sign may be located on any lot;~~
  - ii. ~~No such sign may exceed six (6) square feet in surface area; and,~~
  - iii. ~~The maximum sign height shall be six (6) feet above grade to the top of the sign and its supporting structure.~~
  - iv. ~~Such a sign may not be displayed for longer than seven (7) consecutive days or no more than fourteen (14) days out of any one (1) year period.~~

- ~~v. The Code Enforcement Officer is authorized to mark temporary signs in any reasonable way that does not interfere with the content of the temporary sign so as to ensure compliance with this Article.~~

## 7.6 **PROHIBITED SIGNS**

The following signs are prohibited:

- a. Any sign located within, on, or projecting over a property line which borders a public or private street, highway, alley, lane, parkway, avenue, road, sidewalk, or other right-of-way, except as provided in this Ordinance. The Code Enforcement Officer may cause to be removed any temporary or portable sign erected or displayed upon, or projecting into public property.
- b. Any flashing sign or other sign or lighting device, whether freestanding, on the exterior of the building, or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, animated, flashing, rotating, scintillating, blinking, or strobe light illumination, including a variable electronic message device, or the regulations applicable to a particular sign structure.
- c. Any sign which emits audible sound, odor, smoke, steam, laser or hologram lights, or other visible matter, including any sign that employs any stereopticon or motion picture projection.
- d. Signs, which by reason of location, size, color, or design interfere with public traffic or can be confused with or obstruct the view or effectiveness of any official traffic signal or traffic marking.
- e. Any sign with unshielded incandescent, metal halide, or fluorescent light bulbs.
- f. Any off-premises **permanent** sign or signs which are located off of the property that they are advertising, except as provided for herein.
- g. Signs located on the roof of any structure.
- h. Any rotating sign.
- i. Any banners, pennants or temporary signs, except as provided for herein.
- j. Any sign attached to any public utility pole or structure, streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property, also known as “snipe signs,” except as provided herein.
- k. Strings of light bulbs whether in conjunction with a sign or not except as conventionally used as part of a holiday celebration.
- l. Any sign which causes glare onto a public road or any neighboring property.
- m. Any inflatable sign and other similar permanent objects.
- n. Any sign including a mirror device.
- ~~o. Internally illuminated signs may be permitted only in the Gateway Commercial Business District, Commercial/Light Industry/Office, and Industrial Zoning districts (Rev. 3/96; Rev. 3/98, Rev. 3/11)~~

- p. Any sign which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or exit way required by the Building Code or the Fire Code; and,
- q. Any sign mounted, attached or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on the public right-of-way or private premises in a manner intended to attract attention of the public for business advertising purposes are considered portable signs within the context of this Ordinance and are prohibited. This provision expressly excludes business signs that are permanently painted on, or magnetically attached to motor vehicles or rolling stock that are regularly and consistently used to conduct normal business activities; where such vehicles or rolling stock are stored at their place of business in a manner to be screened from public ways (fence, garage, etc) or otherwise parked so as not to be visible as a freestanding sign. However, this section does not prohibit an individual, not engaged in business, to display a sign, mounted, attached or painted on a trailer, boat or motor vehicle, when it is parked for the purpose of a one-time sale of said trailer, boat or motor vehicle. (Amended 3/19)
- r. **Internally illuminated signage.**
- s. **Consistent with existing current federal caselaw and constitutional protections, the Town will not regulate sign content, with the exception of obscene speech. Signage shall not include obscene speech. Obscene speech is defined as content that appeals to the prurient interests in sex, which describes, represents or portrays sexual conduct in a patently offensive way, and when the signage, viewed as a whole, does not include any serious literary, artistic, political, or scientific value.**

## 7.7 **ENFORCEMENT AND VIOLATIONS**

- a. Any person, including, without limitation, an owner of real property, who violates, suffers a violation to occur or refuses to comply with any provision of this Ordinance may be subject to the penalty provisions as described in Section XXII of the Zoning Ordinance.
- b. In addition to the remedies provided in Section XXII, the Code Enforcement Officer may remove or cause to be removed any sign that does not comply with the provision of this Ordinance, at the expense of the owner of the property wherein the sign is located after written notification of the violation to the property owner.
- c. The Code Enforcement Officer may remove or cause to be removed any sign without notice that the Code Enforcement Officer reasonably concludes is impermissibly established in the public right-of-way or that otherwise constitutes a danger to public safety.
- d. The Code Enforcement Officer may remove or cause to be removed any sign not maintained in good repair for reasons of safety or aesthetics.

## 7.8 **GENERAL STANDARDS AND CRITERIA FOR SIGNS**

The regulations in this section specify the area and heights of signs that are allowed within the Town and which require a permit.

a. Measurement and Calculation of Area:

i. Area of Freestanding Signs:

1. Sign face area is calculated as the total area within the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop, background or structure against which it is placed. Areas of supporting framework shall be excluded from this calculation up to the amount of 35% of the total area as calculated above. All supporting framework, bracing, or decoration in excess of the 35% limit shall be deemed part of computation of the maximum aggregate area.
2. The area of one side of a double-faced sign shall be regarded as the total area of the sign provided that such sign faces are either parallel or at an angle of thirty (30) degrees or less to each other. If the sides are of unequal area, the larger shall determine the area.

ii. Area of Wall/Building Signs:

1. The sign face area of signs attached or affixed to buildings or other structures shall include all lettering, designs, or symbols, together with the background, whether open or enclosed, upon which they are displayed. When signs are incorporated into canopies or awnings, the entire panel containing the sign copy is counted as the sign face area.
2. Where a sign consists of individual letters or symbols attached, painted or applied to a building, wall or window, without any distinguishing border, panel or background, the area shall be considered to be the smallest rectangle, triangle, or circle encompassing all the letters and symbols.
3. In no case can the additional surrounding background area exceed the area of the copy. For the purpose of this section, the permitted background area is the total area between the lintel bar and the parapet on a one (1) story building or between the lintel bar and the floor level of the floor above on a multi-story building

iii. Sign Height for Freestanding Signs:

The height of a freestanding sign shall be computed as the distance from the elevation of the nearest travel lane edge of pavement to the highest attached component of the sign.

b. Signage Standards.

Design, color, materials, size, and placement are all important in creating signs that are architecturally attractive and integrated into the overall site design. Signs that are compatible with the surroundings and effectively communicate a message will promote

a quality visual environment. The following design standards will be used as a basis for review of sign permits and the management of signs:

i. General Standards.

1. Design signs in harmony with the style and character of the development and as an integral design component of the building architecture, building materials, landscaping, and overall site development.
2. Signs should be clear, informative to the public and should weather well.
3. All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.
4. Sign letters and materials should be professionally designed and fabricated.
5. Exposed conduit and tubing is prohibited. All power supplies and other equipment shall be concealed.
6. The exposed back of all signs visible to the public shall be suitably finished and maintained.

ii. Placement:

1. Signs should be generally free of obstructions when viewed from different angles. However, trees or other landscaping that grows to a point that it obstructs the view of a sign or makes it illegible shall not be grounds for removal or trimming of the plant(s).
2. The physical placement of signs on a building shall be as important as the sign composition itself. To maximize the effectiveness of signs and a building's architecture, every sign located on a building shall be required to be an integral part of the building.
3. Signs shall be located with respect to the basic architectural framework of the building, so as not to obscure the primary elements (door and window openings and decorative facade treatments) of a building's framework.

iii. Sign composition.

The visual style of a sign is determined by the relationship of its lettering, colors, lighting, and material used. The design standards set forth herein constitute general design criteria to be followed when determining conformity with the Ordinance.

iv. Lettering:

- ~~1. No more than two (2) lettering styles shall be permitted per sign.~~
- ~~2. Letters may be attached to the building facade.~~
- ~~3. Light colored letters on a dark background are preferred. Dark letters on a light background shall only be permitted if it complements the building's color composition.~~
4. Lettering and signboards shall be located so as not to obstruct architectural detailing on the building face.

- ~~5. Product trademarks are discouraged; however, trade signs (e.g., a shoe for a cobbler, a mortar and pestle for a druggist) are preferred.~~
- ~~6. Letter styles shall be limited to the classic genre, i.e., Copper plate Gothic, Times, Franklin Gothic, Benton, Clarendon, Haas Helvetica, Folio Caravelle Medium, Windsor, and Times Roman.~~
- ~~7. The size of the lettering shall be in proportion to both the sign configuration and the building.~~

~~v. Color:~~

- ~~1. No more than three (3) colors are preferred, including black/white. Lettering shall preferably be one (1) color.~~
- ~~2. Colors used in signage should relate to the color composition of the building material and be compatible with them.~~
- ~~3. The determination of sign color must relate to the degree of contrast between the sign lettering and sign background.~~

vi. Material:

1. Traditional materials, such as wood, glass, brass, bronze, aluminum, or iron are preferred for the framework of a sign. The use of plastic, aluminum and vinyl will only be permitted if styled and composed to imitate wood or iron.
- ~~2. Wooden signs shall be constructed of dense, clear or finely grained wood that adapts to engraving/carving and paint or stain. Ordinary plywood will not withstand exposure; therefore, only overlay, exterior or marine plywood shall be permitted.~~

vii. Sign Illumination:

- ~~1. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impact on residential properties in direct line of sight to the sign.~~
- ~~2. Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right of way.~~
- ~~3. Internally illuminated plastic box "canned" signs are discouraged. Individually illuminated channel letters are preferred.~~
- ~~4. Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color.~~
- ~~5. Light sources shall utilize energy efficient fixtures to the greatest extent possible.~~
- 1. Externally illuminated signage from a light source that is fully downcast is permitted.**
- 2. Internally illuminated or backlit signage is prohibited.**

## **7.9 GENERAL REGULATIONS**

Any sign not specifically listed shall not be permitted unless otherwise exempted herein.

a. Signs Permitted in the Residential/Agricultural District, Manufactured Housing/Mobile Home District, Retirement Planned Community District:

- i. ~~Agricultural Sign, Temporary / Seasonal:~~ Signs on properties with a primary agricultural use shall be permitted signage subject to the following requirements:
  1. ~~Shall require a permit and may be placed off-site and within a Town right-of-way only with the permission of the Board of Selectmen, and a letter granting approval for the location from the owner of the property of which the sign is located in front of.~~ **On properties where agriculture is the primary use of property:**
    - a. **Wall signage shall be permitted subject to the requirements of Section 7.9.viii of the Ordinance.**
    - b. **One permanent freestanding sign not to exceed 32 square-feet in area and ten feet in height shall be permitted.**
    - c. **One Temporary Sign shall be permitted subject to the requirements of Section 7.9.viii except that signs may be permitted up to 50 square-feet in size and up to eight signs may be permitted in a single calendar year for a period not to exceed 180 days.**
  2. ~~Placement shall not exceed six (6) months continuously for a season with an additional 30 contiguous or non-contiguous days for the sale of agricultural products.~~ **On properties where agriculture is an accessory use of a property:**
    - a. **One wall sign not to exceed 10 square-feet in area shall be permitted.**
    - b. **One permanent freestanding sign not to exceed 20 square-feet in area and six-feet in height shall be permitted.**
    - c. **One Temporary Sign shall be permitted subject to the requirements of Section 7.12.**
  3. ~~If located within a Town right-of-way shall not exceed six (6) square feet.~~
  4. ~~If located on private property any sign shall be limited to twelve (12) square feet.~~
  5. ~~Sign shall not exceed a maximum height of ten (10) feet.~~
- ii. **Real estate, contractor, and development signage** ~~Contractor's Sign: Shall be required to obtain a permit and comply with the conditions listed below.~~
  1. ~~Contractor signs may not be placed on the property prior to fourteen (14) days before the expected start of construction or upon issuance of a building permit (whichever is later) nor maintained on the property beyond fourteen (14) days after completion of work or upon issuance of a Certificate of Occupancy (whichever is earlier).~~ **On properties that are currently listed for sale or for lease, one additional temporary sign may be permitted, in addition to any temporary sign permitted under Section 7.9.viii of the Ordinance, for the duration that**



the property is listed for sale or for lease. Signage of this nature shall not be illuminated.

2. **On properties that are actively under land development, one temporary sign not to exceed 24 square-feet in area shall be permitted. Signage of this nature shall not be illuminated.** ~~No more than one sign per contractor may be placed on the site and the total area of all contractors' signage shall not exceed thirty-two (32) S.F.~~
- ~~3. Contractor signs shall be located outside of the public right of way.~~
- ~~4. Contractor signs shall not exceed a maximum height of ten (10) feet.~~
- ~~5. Contractor signs shall not be illuminated.~~
- ~~6. Signs, which advertise for a contractor who does continual maintenance or service of a site, shall not be allowed.~~

iii. ~~Development signs:-~~

- ~~1. Development signs shall require a permit and may not be placed on the property prior to fourteen (14) days before the expected start of development activity nor maintained on the property beyond fourteen (14) days after issuance of the final certificate of occupancy or four (4) years from the original date of issue. The Code Enforcement Officer may issue additional sign permits on an annual basis only beyond the original permit, if he finds that significant sales activity is taking place on the site. Significant sales activity may be determined to be a staffed sales office, regular on-site sales staff hours for lots or new units or continued new unit construction activities.~~
- ~~2. Development signs shall be located outside of the public right of way.~~
- ~~3. Development signs shall not exceed a maximum height of ten (10) feet.~~
- ~~4. Development signs shall not be illuminated.~~

iv. Directional Signs:

**In any zone, signs not exceeding two (2) square feet per sign in area and standing no more than four-feet in height to point direction to residences, businesses, other allowed uses or meeting places or for directing traffic into or out of a site are permitted. are permitted provided no more than two such signs are permitted per property unless otherwise permitted by the Planning Board.**

v. Governmental Signs:

Signs erected by the municipal, State, or federal governments, which are required for the public safety and welfare shall be allowed.

vi. Home Occupation Signs:

**Properties where an approved Home Occupation is actively in operation shall be permitted signage subject to the following regulations:**

1. Not more than one free standing sign or other advertising device is to be displayed on the property and it shall not exceed a size of four (4) square feet.

2. Home Occupation signs shall be located outside of the public right-of-way.
3. The height of Home Occupation signs shall be a minimum of eight (8) feet in height and a maximum height of ten (10) feet.
4. Signs will not be lighted from within or by exterior spot lighting.
5. Vehicles displaying advertising for a Home Occupation shall be screened from public ways (fence, garage, etc) or otherwise parked so as not displayed as a freestanding sign. (Amended 3/19)

~~vii. Institutional Signs:~~

- ~~1. Signs setting forth the name of any simple announcement for any public, charitable, educational or religious institution located entirely within the premise of that institution, up to an area of 24 square feet. Such signs may be illuminated in accordance with the regulations contained herein. If building mounted, these signs shall be flat wall signs and shall not project above the roofline. If ground mounted, the top shall be no more than eight (8) feet above ground level.~~
- ~~2. Signs erected by community, social, religious, and fraternal organizations, shall not be displayed for longer than seven (7) consecutive days or no more than fourteen (14) days out of any one (1) year period for a fund raising or community event. The sign shall not be larger than six (6) square feet and be a maximum height of six (6) feet above grade to the top of the sign and its supporting structure.) Such sign shall be placed only on the premises where the event is to be held or conducted.~~
- ~~3. Signs shall be located outside of the public right-of-way.~~

~~viii. Real Estate Signs: Signs four (4) S.F. or smaller in size do not need to obtain a permit as long as they comply with the conditions listed below. Any sign in excess of four (4) S.F. shall require a permit.~~

- ~~1. Real estate signs may only advertise the property on which they are situated.~~
- ~~2. Real estate signs may not be illuminated.~~
- ~~3. There may be no more than one sign per street frontage.~~
- ~~4. The signs must be removed within thirty (30) days of consummation of the sale or lease.~~
- ~~5. A portable real estate open house sign not to exceed two (2) square feet may be placed off-site only on the day of the open house and no longer than one (1) hour before and thirty (30) minutes after the open house is taking place.~~

~~ix. Service/Civic Association Signs:-~~

~~Service and civic associations, defined as organizations established by local citizens and which have non-profit tax status, may apply to the Board of Adjustment for a special exception to erect signs in the municipality providing that the following conditions are met:-~~

- ~~1. An individual sign is no larger than six (6) square feet;~~

- ~~2. The organization has written permission for placement of the sign from the landowner; and~~
  - ~~3. The sign will not cause a safety hazard or have a visual effect on the surroundings.~~
- ~~x. Yard Sale Signs:~~

~~Do not need to obtain a permit as long as they comply with the conditions listed below.~~

- ~~1. Yard sale signs may not be placed prior to three (3) days before the sale and must be removed within 1 day after the sale.~~
- ~~2. They may not exceed six (6) square feet and may not be illuminated.~~
- ~~3. The signs may be placed off premises for noncommercial sales related to a single residential dwelling unit (or informal joint sales among neighbors) only provided they are not placed on utility poles and are not a distraction to traffic.~~

b. Signs Permitted in commercial and/or industrial uses:

- i. All signs permitted in the Residential / Agricultural District and Manufactured Housing / Mobile Home District, Retirement Planned Community District pursuant to Section 7.9.a.
- ii. Awning/Canopies:
  1. One sign with lettering per business shall be permitted on an awning or canopy, and logos shall be permitted on all awnings and canopies, provided that:
    - a. The letter and logo height does not exceed 50% of the diagonal portion of the awning or canopy.
    - b. The letter and logo height is located on the vertical flap and does not exceed eight inches.
    - c. The letter and logo area does not exceed 15% of the area of the diagonal portion of the awning or canopy.
    - d. The signage shall only be on first-floor awnings and canopies.
  2. Awnings and canopies shall be aesthetically compatible with the building and consistent with each other.
  3. Awnings and canopies shall be kept in good order and repair.
  4. All awning and canopies shall be made of cloth or canvas.
  5. A business cannot have a wall sign and awning/canopy with lettering.

~~iii. Directory Signage:~~

- ~~1. Permitted only for upper story non-residential uses.~~
- ~~2. Area shall be a maximum of twelve (12) square feet located by the main entrance to the upper floors.~~
- ~~3. Letter height shall not exceed four (4) inches.~~

iv. Free Standing Signage.

1. Flexible Mixed-Use District, Professional/Residential District, and Town Center District.
  - a. **Properties with one operation under a single proprietorship shall be permitted up to one freestanding sign not to exceed 30 square-feet in area. For each additional operation under different proprietorship, a maximum of 10 (ten) additional square-feet of signage shall be permitted up to 40 additional square-footage of signage for a maximum of 70 square-feet of signage. No freestanding sign in these districts shall exceed a height of 10-feet.**~~If there are one to two distinct operations under different ownership/proprietorship, the area the face shall not exceed 32 square feet and the top of such sign is no higher than twelve (12) feet above sidewalk or finish grade; or~~
  - b. ~~If there are three to four distinct operations under different ownership/proprietorship, the area of the face shall not exceed 48 square feet and the top of such sign is no higher than twelve (12) feet above sidewalk or finish grade; or~~
  - c. ~~If there are five or more such distinct operations under different proprietorship on the lot, the area of the face shall not exceed sixty five (65) square feet and the top of such sign does not exceed fifteen (15) feet above grade.~~
2. Gateway Commercial Business District, Special Commercial District, Commercial/Light Industrial District, and Industrial District.
  - a. **Properties with one operation under a single proprietorship shall be permitted up to one freestanding sign not to exceed 35 square-feet in area. For each additional operation under different proprietorship, a maximum of 15 additional square-feet of signage shall be permitted up to a maximum of 95 square-feet of signage. No freestanding sign in these districts shall exceed a height of 12-feet.**~~If there are one to two distinct operations under different proprietorship, the area of the face shall not exceed 48 square feet and the top of such sign is no higher than twenty (20) feet above sidewalk or finish grade; or~~
  - b. ~~If there are three to four distinct operations under different proprietorship, the area of the face shall not exceed seventy five (75) square feet and the top of such sign is no higher than thirty (30) feet above sidewalk or finish grade; or~~
  - c. ~~If there are five or more such distinct operations under different proprietorship on the lot, the area of the face shall not exceed one hundred thirty (130) square feet and the top of such sign does not exceed thirty (30) feet above grade.~~
3. A lot with front lot line of ~~300~~ **600** feet or more may have two freestanding signs. However, said signs shall be separated by a minimum of ~~200~~ **300** feet. **The second sign shall not exceed an area of 24 square-feet or a height of 8 (eight) feet.**
4. One (1) freestanding sign shall be permitted for each street or limited access highway, which abuts a lot, **up to a maximum of two freestanding signs provided that the secondary freestanding sign is clearly oriented to the secondary right-of-way and frontage.** The area of the sign located on the primary lot frontage

(determined by the applicant) shall be the maximum permitted in the district. The area of sign located on the secondary lot frontage shall be 50% of maximum permitted **area** in the district **and shall not exceed a height of six-feet.**

5. When a lot abuts more than one street or limited access highway and qualifies for an additional freestanding sign, the minimum separation between freestanding signs on the lot, regardless of the orientation of the freestanding signs, shall be ~~one~~ **two** hundred (200) feet.
6. Minimum front yard setback, side yard setback and rear yard setback. Unless otherwise stated in the Ordinance, there shall be no minimum required front, side, or rear setback for freestanding signs, provided, however, such signs shall not encroach into any public right-of-way or any clear sight area **and be located a minimum of 6 (six) feet from the edge of pavement for the right-of-way.**

v. Projecting Signs.

Projecting signs and displays attached to individual buildings or units shall be allowed in addition to the permitted freestanding signs and displays, subject to the following:

1. There is no more than one such sign for each entrance door to a business establishment.
2. The permitted area of projecting signs shall be one (1) square foot for each five (5) linear feet of building or unit front facade to which it is attached, not to exceed ~~thirty-two~~ **twenty-five (25)** square feet.
3. The base of all projecting signs shall be no less than eight (8) feet above the ground or sidewalk.
4. Projecting signs shall not be located or erected on the roof area of any building, shall be located only on the building walls, and may not project above the building roof line or roof ridge.
5. Projecting signs shall not project from the exterior wall of a building more than five (5) feet.
6. Projecting signs shall not project into any public or private street travel way.
7. There are no exposed guy wires or turnbuckles.
8. In the case of a building located on a corner lot, a projecting building sign may be located at the corner of the building oriented toward the intersection of two or more streets, provided, however, that no other projecting building identification signs shall be located on the same building within one-hundred (100) feet of a corner projecting building identification sign, regardless of orientation

~~vi. Promotional Event Signs.~~

~~The requirements for these signs are as follows:~~

- ~~1. Keep promotional and grand opening signs out of the public right of way (including sidewalks, planter strips, tree wells, sound walls, fences, and street~~

~~medians), on public property, or in any location which interferes with vehicular, bicycle, or pedestrian circulation or safety.~~

- ~~2. Pennants, flags, streamers, searchlights, and banners (maximum 60 square feet each) may be displayed for three (3) 14 day periods per calendar year and an additional four weekends or federally recognized 3-day holiday weekends. The weekend or federally recognized 3-day holiday weekend display is limited to 1 per every 3 months. A weekend display is permitted Friday evening to Sunday evening (or Monday if a federally recognized 3-day holiday.) Upon the approval of the Board of Selectmen, a permit shall be secured from the Building Inspector for the signs that exceed said specified time limits.~~
- ~~3. For grand openings pennants, flags, streamers, searchlights, and one banner not to exceed 60 square feet in area may be displayed one time for a maximum of 30 days. All signs must be removed within 5 days after the grand opening ceases.~~
- ~~4. Temporary Mobile and/or Portable Signs: New businesses may use a temporary mobile sign (or trailer mounted sign) while awaiting the arrival of a permanent sign. Such signs shall be allowed only until the permanent sign(s) is installed or for thirty (30) days, whichever is shorter. A permit shall be secured from the Building Inspector for the placement of such signs.~~

vii. Street Address Signage:

1. Street address signage is encouraged on each building **and on freestanding signage. Street address signage shall not be counted toward the maximum permitted sign area.**~~or individual tenant.~~
2. Numbers shall be a maximum of eight (8) inches in height.

viii. Wall/Building Signage:

- ~~1. One of the three below for each street frontage of each business:-~~
  - ~~a. Internally lit raised letters with concealed power supply.~~
  - ~~b. Back-lit raised letters with concealed power supply.~~
2. **Externally illuminated wall signage with a fully downcast light source is permitted. Internally illuminated, or backlit signage, is prohibited. Lighting for signage shall be turned off between the hours of 11 pm to 5 am, unless a business or use is in operation during those hours in which case sign lighting must be turned off within one hour of the closure or opening of the business.**
- ~~c. Signage board with gooseneck lighting.~~
- ~~3. Wall signage is also permitted for walls facing rear parking areas with the same area as permitted on the front façade.~~
4. **Wall signage must be located below the second story floor line no more than 18-feet above grade level or below the lowest part of the roofline, whatever is lower.**

4. The building frontage is used to calculate the total maximum wall/building sign area. One square foot of wall/building sign area is allowed for each linear foot of building frontage. The area of all wall/building signs must be equal or less than this total, including existing and new signs. The building sign total maximum area formula shall be calculated using the following formula:

Building Linear Frontage x Multiplier (see chart below) = Total maximum sign area for all building signs.

\_\_\_\_\_ x \_\_\_\_\_ = square feet

5. Total Maximum Area Multiplier

The total aggregate area in square feet of all permanent building signs, except for signs freestanding signs and directional signs, shall not exceed the following:

Average Distance of Sign From Centerline of Abutting Street	Building Frontage Multiplied By
<del>0-99</del> <b>149</b>	1
<del>100</del> <b>150-249</b>	1.5
250 and over	2

6. For lots with frontage on more than two streets or a limited access highway, the total maximum area for wall/buildings signs shall be determined using the maximum area permitted for the primary ~~and secondary~~ lot frontages (as determined by the applicant). **Additional wall signage shall be permitted for the secondary frontage, however wall signage for the secondary frontage shall not be subject to the maximum area multiplier and shall be limited to no more than 50 percent of what is permitted for the primary frontage.**
- ~~7. A use with less than 50 feet of sign frontage may have a maximum of 50 square feet of permanent wall/building signs.~~
7. **Allowable wall signage may be distributed on different building facades, however no single building façade may include more than 75 square-feet of wall signage unless the site qualifies for the Total Maximum Area Multiplier. If any building frontage of the site is located between 150-249 feet from the roadway centerline, a maximum of 105 square-feet of signage on a single building façade is permitted. If any building frontage is located more than 249-feet from the roadway centerline, a maximum of 135 square-feet of wall signage is permitted on a single building façade.**

xiii. Window Lettering/Sign:

1. All window lettering/signs for businesses shall be inside the window and shall be permitted only on the first ~~and second~~ floor windows.

2. Window lettering/signs shall not exceed ~~15~~**10**% of the **total** window area **on a single building facade**.
3. ~~Window lettering or signs shall pertain only to the establishment occupying premise where window is located.~~

#### **7.10 MAINTENANCE AND OBSOLESCENCE**

All signs and sign structures shall be properly maintained and kept in a neat and proper state of maintenance and appearance. All signs of any type and located within any district which are found by the Building Inspector to be in a state of disrepair or are considered dangerous, shall be repaired or removed on order of the Building Inspector and upon failure to comply with this order within the time specified within the order, the Building Inspector is hereby authorized to cause removal of this sign and any expense resultant thereto shall be borne by the owner/lessee.

#### **7.11 NON-CONFORMING SIGNS**

a. Continuance.

Any sign lawfully existing or under construction before the date of enactment of these sign regulations or upon any date on which these regulations are amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign. Portable signs (including trucks and trailers) are exempt from treatment under this section for continuance and shall, therefore, require sign permits and compliance with the provisions of Section VII.

b. Maintenance.

A nonconforming sign must be maintained in good repair for reasons of public safety and aesthetics. Ordinary maintenance and minor repairs shall not include replacement of the structural framing and supports, enlargement of the area of a sign face, or relocation of the sign.

c. Alteration, Relocation and Replacement:

Alterations, relocation, and/or replacement of a legal nonconforming sign structure is permitted when damage or deterioration does not exceed fifty percent (50%) of the area of the sign and structure. A non-conforming sign that is damaged by any casualty or force majeure may be replaced by an identical sign in the same location that is identical to the damaged sign. The replacement sign retains its status as a permitted, non-conforming use.

d. Removal.

A nonconforming sign shall be removed within three hundred and sixty-five (365) days if any one of the following conditions exist:

1. If the damage or deterioration of the sign structure exceeds fifty percent (50%) of the area; or,



2. If the building to which the sign structure is accessory is damaged or demolished to an extent exceeding fifty percent (50%) of the building's appraised value and no plans have been submitted for the building's reconstruction or restoration pursuant to applicable codes and Ordinances; or,
3. If the sign has been abandoned for at least three hundred sixty-five (365) days.
- e. Any sign that has been removed due to any of the conditions listed in 7.11.d above shall not be replaced and any succeeding sign shall conform to the provisions of this Ordinance. If any portion of the sign structure is removed, then all parts and components of the sign shall also be removed.

## **7.12 TEMPORARY SIGNS**

**Temporary signs shall be permitted subject to the following regulations:**

### **a. Permit Required**

**Temporary signs not specifically exempted under this section shall not be displayed without a valid Temporary Sign Permit issued by the Planning Department.**

### **b. District Limitations**

**In the Residential/Agricultural, Manufactured Housing, and Route 33 Heritage Districts, no more than one temporary sign may be displayed on a parcel at one time. No more than six temporary signs shall be displayed in a calendar year. Temporary signs shall not be permitted for more than a cumulative total of 90 days in a calendar year.**

**In the Gateway Commercial Business, Town Center, Industrial, Flexible/Mixed-Use, Professional/Residential, and Special Commercial Districts, no more than one ground-mounted temporary sign shall be permitted on a parcel at one time. Each distinct operation shall be permitted no more than one temporary banner at a time. Each distinct operation shall be limited to no more than four temporary signs in a calendar year displayed for a cumulative total of no more than 120 days.**

### **c. Exemptions**

**Political signage, temporary signs located on parcels that are for sale or lease, Contractor's/Development signs, flags, and sandwich board signs shall be exempt from these requirements.**

## **7.1213 SEVERABILITY**

If any section, clause, provision or phrase of this section is held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of the Ordinance.

***The Planning Board recommends this article by unanimous vote.***

**Article 10:** Are you in favor of the following amendment to the Town of Stratham Building Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section V, Sub-section 5.13 *Solar Energy Systems* to clarify the requirements associated with the removal of medium- and large-scale ground-mounted solar energy systems after they are de-activated. This amendment would require landowners with solar energy systems to provide a plan for restoring a site to pre-development conditions if a solar facility is abandoned and to record a declaration committing to removing the array while eliminating a requirement to provide a financial security for the life of the solar project.

~~5.13.9.3 Bonding and Security Recognizing the extremely hazardous situation presented by abandoned and unmonitored ground-mounted solar energy system, the Planning Board shall set the form and amount of security that represents the cost for removal and disposal of abandoned towers in the event that the tower is abandoned and the tower owner is incapable and unwilling to remove the tower in accordance with Section 5.14.7.7.~~

#### **5.13.9.3 Return to Pre-development Condition**

**In the event that a medium- or large-scale ground-mounted solar energy system is abandoned, the owner of the property shall be required to return the land to its pre-development condition. Accordingly, applicants for ground-mounted medium- and large-scale solar energy systems shall be required to provide the Planning Board, as part of its application materials, a plan for decommissioning ground-mounted solar energy facilities and restoring the site to its pre-development condition. Additionally, the property must sign a Declaration, to be recorded at the Registry of Deeds, committing the owner to removing the solar panels and restoring the site to its pre-development condition within 90 days of abandonment of a medium- or large-scale solar energy system.**

#### **5.13.9.4 Removal of Abandoned Ground-mounted solar energy system**

Any ground-mounted solar energy system that is not operated for a continuous period of twelve (12) months shall be considered abandoned and hazardous to the public health and safety, unless the owner of said ground-mounted solar energy system provides proof of quarterly inspections. The owner shall remove the abandoned structure(s) within ninety (90) days of receipt of a declaration of abandonment from the Town notifying the owner of such abandonment. A declaration of abandonment shall only be issued following a public hearing, noticed per Town regulations, with notice to abutters and the last known owner/operator of the ground-mounted solar energy system. If the abandoned ground-mounted solar energy system is not removed within ninety (90) days **pursuant to the requirements of Section 5.13.9.3**, the Town may execute **enforcement proceedings to compel action.** ~~the security and have the ground-mounted solar energy system removed, pursuant to Section 5.14.7.7 above.~~ If there are two (2) or more users of a single ground-mounted solar energy system, this provision shall not become effective until all users cease using the ground-mounted solar energy system

***The Planning Board recommends this article by unanimous vote.***