

PLANNING BOARD REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT



Off-Premises Signage Amendments (#26-005)

Submitted to:	Brunswick Planning Board	Prepared By:	Julie Erdman Jimmy Dealaman
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I. INTRODUCTION SUMMARY

A primary reason why the Town's zoning ordinance expressly prohibits off-premises signs in all zoning districts is because the cumulative impact of allowing off-premise signs for individual properties would contribute to greater visual clutter along public roads, create driver distraction, and make the Town's sign standards more difficult to administer and enforce. However, in locations where multiple businesses exist closely together, consolidated off-premises signage could improve wayfinding and may help shift larger signage away from building frontages resulting in less visually cluttered building elevations.

Last year staff received concerns from the business community that the ordinance's limitations included not allowing for off-premises business directory signs. A good example is where entrance roads leading into industrial parks exist outside of the park property, businesses cannot use external signage to communicate those businesses contained therewithin. Allowing off-premise signs in these cases would improve advertising of businesses that do not have the benefit of being located along a commercial corridor, as well as helping vehicles better navigate to these locations. Staff are recommending the attached zoning amendments to allow for business directory signage clustered in an off-premise location to address signage challenges like those experienced at industrial parks, as well as supporting more consolidated signage and orderly wayfinding.

At this time, the Planning Board is requested to review the attached zoning amendments (Attachments 1) and provide feedback in advance of a future public hearing.

NEXT STEPS

Staff will review any feedback provided by the Planning Board, return with updated draft ordinances, and schedule a public hearing for the Board's recommendation to the Town Council.

II. ATTACHMENTS:

Attachment 1. Draft Zoning Text Amendments - Off-Premises Signage

Sec. 4.13. Signs.

4.13.1. General Standard.

All new outdoor signs must be compatible in design and scale with their surroundings and shall not unreasonably interfere with the safe operation of adjoining roads, sidewalks, parking areas, or uses.

4.13.2. Specific Standards.

Signs may not unduly impact property values and should enhance and protect the physical appearance of the community, avoid distractions and obstructions, and reduce hazards that may be caused by signs.

A. Standards and Permits Required.

- (1) No sign shall be erected or altered unless it conforms to these regulations. Signs must be kept clean, legible, and free from all hazards, such as, but not limited to, faulty wiring, loose fastenings, or deterioration, and must be maintained at all times in such condition so as not to be detrimental to the public health or safety, or constitute a distraction or obstruction that may impair traffic safety. Any such sign that becomes a nuisance or a hazard to public safety shall be removed from the premises if so ordered by the Code Enforcement Officer.
- (2) A permit is not required if the area of the sign is one (1) square foot or less.
- (3) If applicable, no sign shall be erected or altered unless it conforms to the Cooks Corner Design Standards, or meets the intent of design guidelines established for the Village Review Overlay Zone, or the Brunswick Landing Design Guidelines (administered by the Midcoast Regional Redevelopment Authority).
- (4) The construction, alteration, maintenance and repair of all signs shall conform to all applicable building and electrical codes adopted by the Town of Brunswick.

B. Nonconforming Signs.

- (1) *Continuance.* A nonconforming sign may be continued even though it does not conform to the requirement of this Ordinance.
- (2) *Change.* Any change in the content of a nonconforming sign shall not constitute a change requiring the sign's compliance with the current sign standards in this Section 4.13 provided that, the sign is not a prohibited sign under subsection 4.13.2.C (Signs Expressly Prohibited), the changes do not make the sign more nonconforming, and a permit is obtained for the changes from the Code Enforcement Officer.
- (3) *Termination of Identified Use or Activity.* If a sign becomes nonconforming because the associated use or activity it identifies is terminated the sign face shall be removed within 30 days after the date the use or activity is terminated. If the sign face is not reused by another use or activity occupying the same site within one (1) year after the termination of the previous use, the entire sign, including all mountings, brackets, poles, sign faces, and other signage material, shall be removed.
- (4) *New Signs and Waivers.* New signs may be proposed for a site that contains nonconforming signs, provided that all new signs comply with this Section 4.13. The Review Authority may waive sign standards to allow new signs on a site containing nonconforming signs provided it finds that extenuating circumstances render compliance with this Section 4.13, infeasible or impractical, and that the signage plan for the entire site furthers the spirit and intent of this Ordinance by reducing visual clutter, or otherwise improves the aesthetic appearance of the signage on site by bringing the overall site into closer compliance with the requirements of this Section 4.13.

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- (5) *Restoration and Reconstruction.* Any nonconforming sign that is destroyed or damaged by any cause may be restored or reconstructed to its pre-destruction or pre-damage condition provided that a permit for the restoration or reconstruction is obtained within one (1) year after the date of destruction or damage, and no existing nonconformity is increased and no new nonconformity is created. Any restoration or reconstruction of the sign approved more than one (1) year after the destruction or damage shall comply with all requirements of this Ordinance.
- C. *Signs Expressly Prohibited.* The following signs are prohibited in all zoning districts:
- (1) Off-premise signs. Except that business directory signs for three (3) or more businesses may be clustered in an off-premises location, to allow for wayfinding at entrances to development, only when sufficient right, title, and interest is recorded at the Cumberland County Registry of Deeds, and the Planning Board finds that the following are met:
- i. Only one business directory sign is proposed per entrance to a development.
- ii. Signage is equally sized for each respective business
- iii. All applicable Section 4.13 requirements are met
- The Code Enforcement Officer or his/her duly authorized representative has the authority to immediately remove any unauthorized off-premise sign.
- (2) Flashing illuminated signs, with the exception of Changeable Message signs allowed in Subsection 4.13.3.D.
- (3) Moving signs, including but not limited to inflatable/expandable object signs, wind/feather signs, streamers, pennants, large bundles of balloons [more than six (6)] and other signs with moving parts meant to attract the attention of the general public.
- (4) Roof signs.
- (5) Portable signs.
- (6) Distracting glare signs.
- (7) Signs located in, on, or projecting over any public right-of-way with the exception of signs as permitted in Subsection 4.13.2.D.
- D. *Exemption of Town Council-Authorized Signs.* Signs authorized by the Brunswick Town Council for installation on town-owned or leased property, or over public rights-of-way shall be permitted.
- E. *Calculation of Size of Sign.*
- (1) *Two-Sided Sign.* Only one (1) side of a sign shall be counted when determining the size of a two-sided sign.
- (2) *Signs Within or on Structures.* When the graphic representation of the sign occurs on a sign board, the size of the sign shall include the square footage of the sign board. For illuminated signs, all proportions of the sign that are illuminated shall be included in the square footage. Where individual sign graphics are attached to a structure and no sign board is used, the sign area is the sum of the areas of each of the graphic elements.
- F. *Illumination.*
- (1) *Directly Illuminated Signs.*

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- a. The light emitted from a directly illuminated sign shall not result in light trespass beyond the intended area of illumination.
 - b. Directly illuminated signs located in Growth Residential or any Rural zoning district are permitted only between the hours of 7:00 am and 11:00 pm or during hours open to the public, whichever is less.
 - (2) *Internally Illuminated Signs.* Internally illuminated signs are permitted only in the GM4, GM5, GM7, GM8 (Bath Road only), GA, and GI zoning districts.
 - (3) *Tube Illuminated Signs.* Tube illuminated signs, including neon signs, shall not result in excessive light trespass or glare in accordance with Subsection 4.14.1.J.
 - G. *Maximum Sign Size.* No sign shall exceed 200 square feet, except for:
 - (1) Any sign for which a smaller sign area is indicated in this Section 4.13; and
 - (2) Wall signage on structures greater than 30,000 square feet, which shall not exceed 250 square feet.
 - H. *Sign Maintenance.* All signs shall be maintained pursuant to Section 4.15 (Maintenance).

4.13.3. Standards for Sign Types Requiring Permits.

Signs are permitted as indicated in each Subsection below subject to a permit issued by the Code Enforcement Officer. The permit application shall indicate the type, size, and location of the sign and shall be accompanied by a fee as determined by the Town Council.

- A. *Awning Signs.*
 - (1) The area of an awning sign shall not be included in the total building sign area permitted by this Ordinance.
 - (2) The total area of awning signage shall not exceed one (1) square foot for each one (1) linear foot of awning width up to a maximum of 16 square feet.
 - (3) A vertical clearance of no less than eight (8) feet shall be maintained for all parts of an awning.
- B. *Campus-Type Signs.* The following signage is permitted on parcels of land developed in a campus-type environment and shall supersede standards for the specific sign type.
 - (1) *Vehicle Entrance Signs.* A freestanding pole or monument sign may be located at main vehicular entrances to the campus. Each sign shall comply with the following standards:
 - a. Freestanding pole signs shall not exceed 25 square feet in total sign area nor exceed 15 feet in height.
 - b. Freestanding monument signs shall not exceed 32 square feet in total sign area nor exceed ten (10) feet in height.
 - c. Vehicle entrance signs shall be sited within the boundaries of the campus and shall not be located within the right-of-way of any public street nor create or aggravate a traffic hazard.
 - d. For a campus-type parcel with multiple vehicular entry points, additional vehicle entrance signs, installed in accordance with Subsections a through c above, may be sited at each vehicular entry point.
 - (2) *Interior Campus Signs.* Interior campus signs may be installed and shall comply with the following standards:

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- a. Interior campus signs shall not exceed 15 square feet in size nor exceed ten (10) feet in height.
 - b. Interior campus signs shall be sited within the boundaries of the campus and shall not be located within the right-of-way of any public street, nor create or aggravate a traffic hazard.
 - c. Internal campus signs not exceeding a total sign area of six (6) square feet nor ten (10) feet in height are exempt from the requirement of obtaining a sign permit.
 - C. *Canopy Signs.* Canopy signs are allowed in addition to other types of signs permitted by this Section 4.13. The sign area shall not extend beyond the edges of the canopy and shall comply with one (1) of the two (2) following alternative provisions:
 - (1) The total sign area shall not exceed nine (9) percent of the total square footage of all sides of the canopy with no more than two (2) signs located anywhere on the canopy.
 - (2) The total sign area shall not exceed 15 percent of the area of the side of the canopy on which it is located with no side containing more than one (1) sign.
 - D. *Changeable Message Signs.* All changeable message signs shall comply with the following standards.
 - (1) Changeable message signs shall only be permitted in the GM4, GM5, and GM8 (Bath Road frontage only) zoning districts.
 - (2) Each sign shall meet the dimensional requirements per Section 4.13 of this Ordinance.
 - (3) Messages shall remain fixed on the display surface for not less than five (5) seconds and may transition as rapidly as technologically practicable, but not to exceed a transition time of one (1) second, with no phasing, rolling, scrolling, flashing, or blending of content.
 - (4) Such signs shall be equipped with a sensor or other device that automatically determines the ambient illumination conditions and be programmed to automatically dim the sign illumination to not exceed the ambient light conditions by more than 0.3 foot candles. The Code Enforcement Officer shall use the Illumination Measurement Criteria in accordance with the "Night-time Brightness Levels for On-Premise Electronic Message Centers" as recommended by the International Sign Association dated April 2011, as amended, which is on file in the Department of Planning and Development office.
 - (5) Such signs shall not be visible from a controlled-access highway or ramp.
 - E. *Multi-tenant Signs.* Multi-tenant signs are permitted at major entrances to multi-tenant developed properties and shall comply with the sign type standards in this Ordinance and may exceed such standards as follows:
 - (1) In the GA, GM1, GM2, GM3, GM4, GM5, GM7, GM8 (Bath Road frontage only), and GI zoning districts a multi-tenant sign may consist of 25 square feet per tenant; not to exceed a cumulative sign area of 200 square feet nor 15 feet in height.
 - (2) In the GM6, GM8 (excluding Bath Road frontage lots) and RM zoning districts a multi-tenant sign may consist of 18 square feet per tenant, not to exceed a cumulative sign area of 54 square feet nor 12 feet in height.
 - F. *Monument Signs.*
 - (1) In the GM1, GM2, GM3, GM4, GM5, GM7, GM8 (Bath Road frontage only), and GI zoning districts the size of the face of a monument sign shall not exceed 32 square feet nor a height of ten (10) feet.

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- (2) In the GC2 and 3, GM6, GM8 (excluding Bath Road frontage lots) and RM zoning districts the size of a monument sign shall not exceed 18 square feet nor a height of eight feet. The maximum height of a monument sign is ten (10) feet.
 - (3) In all other zoning districts the height of a monument sign shall not exceed six (6) feet nor 12 square feet in size.
 - (4) Only one (1) monument sign per 250 feet of lot frontage is permitted. For a lot of record with less than 250 feet of lot frontage, one (1) monument sign is permitted.
- G. *Tube illuminated Window Signs.* Tube illuminated signs, including neon signs, that are placed inside a window are permitted, and shall not exceed 25 percent of the glass area of the window on which the sign is to be placed.
- H. *Multiple-Driveway Signs.* A multiple-driveway sign may not exceed two (2) square feet in area and shall be placed so as not to impede sight distance.
- I. *Pole Signs.*
- (1) Only one (1) pole sign per 250 feet of lot frontage is permitted. For a lot of record with less than 250 feet of lot frontage, one (1) pole sign is permitted.
 - (2) In the GA, GM1, GM2, GM3, GM4, GM5, GM7, GM8 (lots with Bath Road frontage only), and GI Districts, the height of the pole sign shall not exceed 15 feet and the size of a pole sign shall not exceed 25 square feet.
 - (3) In the GM6, GM8 (excluding lots with Bath Road frontage), GC2 and 3, and RM zoning districts, the height of a pole sign shall not exceed ten (10) feet and the size of the pole sign shall not exceed 18 square feet. Pole signs in these districts shall be constructed of materials that are made of or resemble wood.
 - (4) In all other zoning districts the height of a pole sign shall not exceed ten (10) feet and the size of a pole sign shall not exceed 15 square feet. Pole signs in these districts shall be constructed of materials that are made of or resemble wood.
 - (5) Pole signs shall be set back at least five (5) feet from a side or rear property line.
- J. *Projecting Signs.*
- (1) In all Growth Residential (GR) zoning districts, GM6, and GM8 (excluding lots with Bath Road frontage) zoning districts, Growth College (GC) zoning districts, and Rural Area zoning districts the size of a projecting sign shall not exceed six (6) square feet and the sign shall not project more than three (3) feet beyond the wall to which it is attached.
 - (2) In the GM1, GM2, GM3, GM4, GM5, GM7, GM8 (lots with Bath Road frontage only), and GI zoning districts, the size of a projecting sign shall not exceed 25 square feet.
 - (3) Where a projecting sign projects over a sidewalk, it must clear the sidewalk by at least eight (8) feet.
 - (4) Any use that contains a projecting sign may not contain a pole sign, unless the projecting sign is located 50 feet or more from a public right-of-way.
 - (5) Projecting signs shall not be placed above the first story of a structure unless it is related to a use that occurs above the first floor. Where a projecting sign occurs above the first story of a structure, it may not be placed higher than the midpoint of the second story.
- K. *Wall Signs.*

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- (1) No wall sign shall protrude beyond the roof line or cornice structure of a building, and shall not cover windows, doors or architectural detailing of the building to which it is affixed.
 - (2) In the GA, GM1, GM2, GM3, GM4, GM5, GM7, GM8 (lots with Bath Road frontage only), and GI zoning districts, each establishment shall be allowed wall signage not to exceed a total of 25 square feet. However establishments occupying a portion of the building's principal façade shall be allowed wall signage not to exceed 25 square feet or ten (10%) percent of that portion of the principal façade occupied by that establishment, whichever is greater.
 - (3) In the GM6, GM8 (excluding lots with Bath Road frontage), GC2, GC3 and RM zoning districts, wall signs shall not exceed 16 square feet. Wall signs shall be placed on the building floor level of which the establishment is located.
 - (4) In all other zoning districts, each establishment shall be allowed wall signage not to exceed a total of 16 square feet. However, establishments occupying a portion of the building's principal façade shall be allowed wall signage not to exceed 16 square feet or ten (10) percent of that portion of the principal façade occupied by that establishment, whichever is greater.

4.13.4. Temporary Signs Allowed and Not Subject to Permitting.

Temporary signs are permitted as indicated below and are not subject to a permit. Temporary signs listed below shall not be placed in a position that will impair vision, obstruct traffic, or create a hazard or nuisance to the general public.

A. Sidewalk or Sandwich Signs.

- (1) Sidewalk or sandwich signs, including but not limited to, easel signs and other similar signs are permitted in any district and shall be made of durable materials (i.e., not of cardboard or paper).
- (2) Such signs shall be placed to allow at least five (5) feet of sidewalk width for unrestricted pedestrian movement and shall not create a vehicular traffic hazard.
- (3) Such sign shall not exceed eight (8) square feet in size per side.
- (4) Only one (1) sign per establishment is permitted and shall be removed each day at the close of business.

B. Freestanding/Yard Signs.

- (1) The size of a freestanding/yard sign shall not exceed eight (8) square feet in GN, GR1-10, RR, RN, RF and RP1-2 Districts nor 24 square feet in all other zoning districts.
- (2) With the exception of political signs, a freestanding/yard sign may be placed on-premise no more than three (3) days prior to the activity and shall be removed within three (3) days of the end of the activity.
- (3) Political signs on private property may remain indefinitely, and shall not be located on Town-owned property, including but not limited to rights-of-way, schools, parks, cemeteries.
- (4) Freestanding/yard signs are prohibited to be located within a public right-of-way.

C. Window Signs. Window signs are allowed provided they are placed on the inside of the window and occupy no more than 25 percent of the glassed area of the window on which the sign is to be placed.

D. Flag Signs. A flag sign is allowed in all zoning districts so long as such sign is attached to a structure.

4.13.5. Special Event Signs Requiring Notice to Code Enforcement Officer.

- A. Prior to installing any special event sign, the building occupant or property owner shall submit written notification to the Code Enforcement Officer of the proposed sign's installation and removal.

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- B. No individual building occupant or property owner may install a special event sign for more than 90 days within a calendar year, provided that special event or notice signs for an event exceeding 90 days in length may remain in place for (a) a period not to exceed five (5) calendar days immediately following the conclusion of the event, or (b) 180 days per calendar year, whichever is less, upon written approval by the Code Enforcement Officer.
 - C. Special event signs shall not interfere with pedestrian or vehicular access.
 - D. Special event signs shall be located on the property of which the special event is to take place.

4.13.6. Special Requirements Signs.

The following signs are allowed subject to special requirements without obtaining a permit from the Code Enforcement Officer.

- A. *Public Safety Signs.* Governmental bodies may erect and maintain signs necessary for the public safety and welfare, or as required by law, Ordinance or government regulation.
- B. *Banners.* Town Council permission is required to raise a banner over a Town-owned public right-of-way and the Town Council or its designee may restrict where and when such banners may be displayed.
- C. *Official Business Directional Signs.* An Official Business Directional Sign visible from a public way may be erected or maintained in the Town of Brunswick in accordance with the following standards and with applicable provisions of the Maine Traveler Information Services Act (23 M.R.S.A. § 1901-1925, as amended) and any related regulations of the Maine Department of Transportation (MDOT), not inconsistent with the provisions of this Section 4.13.

(1) *Qualifying Uses.* The following uses are qualifying uses:

- a. Public and private schools and colleges.
- b. Airports.
- c. Cultural facilities and historic monuments.
- d. Recreational facilities.
- e. Municipal and other government facilities.
- f. Nonprofit organizations.
- g. Public accommodations and commercial businesses.
- h. Retail agricultural operation.

(2) *Number of Signs.* Not more than four (4) official business directional signs may be permitted per each qualified use.

(3) *Placement of Signs.* Official Business Directional Signs may not be installed on a State-Aid highway/road frontage, a Bath Road frontage, in the GM6 zoning district, the Village Review Overlay District, or the Maine Street or Park Row right-of-way.

(4) *Additional Requirements.* The following additional requirements shall apply to Official Business Directional Signs:

- a. Official Business Directional Signs shall be a standard size of 12"x48".
- b. To obtain a permit for an Official Business Directional Sign, the business, service facility, or point of interest must be located within a five-mile radius of the proposed location of the sign.

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- c. The background color of all signs shall be blue and shall be in accordance with the highway blue color tolerance charts PR-Color#3. All legends and borders shall be silver.
 - d. All Official Business Directional Signs, apart from those proposed for Route 1 or Interstate 295, must direct travelers to a Brunswick based business, service facility or point of interest.
 - e. The minimum distance between Official Business Directional Signposts shall be at least 300 feet as measured along the shortest straight line.
 - f. No Official Business Directional Sign shall be placed closer than 200 feet from the property line of a commercial business offering directly competing goods or services.
 - g. An Official Business Directional Sign shall be located no closer than 200 feet, nor further than 2,500 feet, from an intersection where a change in direction as indicated on said sign is required.
 - h. No more than three (3) Official Business Directional Signs may be attached to an individual signpost assembly. No new signpost assembly shall be installed until existing signpost assemblies suitable for any newly proposed Official Business Directional Sign contain the maximum number of permitted signs.
- (5) *Permitting and approval process.* Any entity wishing to erect an Official Business Directional Sign shall make application with the Maine Department of Transportation on an application form provided by MDOT. Prior to submittal to the MDOT for final review, the application will require the signature of the Brunswick Code Enforcement Officer certifying compliance with the Town's Zoning Ordinance and the approval of the Town's Police and Public Works Departments.