

Order 37-06/07

Given first reading on 8/21/06

Public Hearing & Passage: 9/6/06 8-0 (Geraghty absent)

JAMES I. COHEN (MAYOR)(5)  
JILL C. DUSON (A/L)  
JAMES F. CLOUTIER(A/L)  
NICHOLAS M. MAVODONES (A/L)  
EDWARD J. SUSLOVIC (A/L)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

WILLIAM R. GORHAM (1)  
KAREN A. GERAGHTY (2)  
DONNA J. CARR (3)  
CHERYL A. LEEMAN (4)

**AMENDMENT TO PORTLAND CITY CODE**  
**CHAPTER 14, ART.III, DIV. 22**  
**SIGNS**  
**§14-367, 369.5**

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN THE CITY COUNCIL ASSEMBLED AS FOLLOWS:*

1. *That Chapter 14 of the Land Use Code (Signs), §14-367 be amended as follows:*

**Sec. 14-367. Definitions.**

. . .

*Roof sign:* Any sign erected and constructed wholly on and over the roof of a building, , including attachment to a rooftop mechanical parapet supported by the roof structure, and extending vertically above the highest portion of the roof.

*Roof sign, integral:* Any sign incorporated as an integral or essentially integral part of a normal roof structure of any design, including attachment to a rooftop mechanical parapet, where no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

2. *That Chapter 14 of the Land Use Code (Tables), §14-369.5 be amended as follows:*

**Sec. 14-369.5. Tables.**

(a) *Table 1. Permitted sign types by zone.*

*NOTE: For Table 1.below, apply the following legend.*

- A: Allowed, no permit required
- B: Allowed, permit required
- C: Allowed, subject to licensing and permit required



Residential(d)	A	A	A	A	A	A
Temporary/ Portable (b)	D	D	D	B	D	D
<b>Building</b>	B	B	B	B	D	B
Commercial						
Banner						
Building	A	A	A	A	A	A
Marker(f)						
Awning	B	B	B	B	B	B
Identification(e)	A	A	A	A	A	A
Incidental(d)	A	A	A	A	A	A
Marquee(g)	B	B	D	B	B	B
Projecting	B	B	B	B	B	B
Residential(b)	A	A	A	A	na	A
Roof	D	D	D	D	D	D
Roof Integral	D	D	D	D	D	D
Suspended(g)	B	B	B	B	B	B
Temporary(h)	B	B	B	B	D	B
Wall	B	B	B	B	B	B
Window(I)	A	A	A	A	A	A
<b>Miscellaneous</b>	A	A	A	A	A	A
Community, Cultural Banner						
Directory(j)	A	A	A	A	A	A
Flag(k)	A	A	A	A	A	A
Pennant	D	D	D	D	D	D
Portable-in	C	C	C	C	D	D
City right-of-way (A-frame)						

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	<i>Eastern</i>			
	<i>Waterfront</i>			
	<i>Port</i>			
	<i>Waterfront</i>			
	<i>Central,</i>			
	<i>Waterfront</i>			
	<i>Special Use</i>			
	<i>I-M, I-Ma, I-Mb</i>	<i>I-H, I-Hb</i>	<i>Waterfront</i>	<i>Waterfront</i>
	<i>Industrial</i>	<i>Industrial</i>	<i>Special Use</i>	<i>Port</i>
				<i>Development</i>
<b>Freestanding</b>	B	B	B	B
In general(b)				
Residential(c)	A	A	A	A
Residential(d)	A	A	A	A
Temporary/ Portable (b)	D/D	B/D	D	D
<b>Building</b>	B	B	B	B
Commercial				
Banner				
Building	A	A	A	A
Marker(f)				
Awning	B	B	B	B
Identification(e)	A	A	A	A
Incidental(d)	A	A	A	A
Marquee(g)	B	B	B	B
Projecting	B	B	B	B
Residential(b)	A	A	A	A
Roof	D	D	D	D

Roof Integral	D	D	D	D
Suspended(g)	B	B	B	B
Temporary(h)	B	B	B	B
Wall	B	B	B	B
Window(I)	A	A	A	A
<b>Miscellaneous</b>	A	A	A	A
Community,				
Cultural Banner				
Directory(j)	A	A	A	A
Flag(k)	A	A	A	A
Pennant	D	D	D	D
Portable-in				
City right-of-way				
(A-frame)	D	D	C	D

**Notes for Table 1 (Permitted Sign Types by Zone).**

- (a) This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential zoning districts. Such uses may include, but are not necessarily limited to, churches, schools and hospitals.
- (b) The following limiting provision shall apply to freestanding signs in the B-1, B-2 and B-3 zones on the Portland Peninsula (except for the B-2 zone in the vicinity of St. John Street): Such signs shall be allowed only if the front facade of the building (or individual tenant's/tenants' frontage in the case of a multi-tenant building) is set back a distance of at least twenty (20) feet from either of the front facades of the abutting buildings (or other tenants' frontage in the same multi-tenant building). Notwithstanding the limitations of this section, freestanding signs shall be permitted for gas stations provided that all signage for such gas stations conform to the requirements of this division.
- (c) No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on premises.
- (d) No commercial message of any kind allowed on a sign if such message is legible from any location off the zone lot on which the sign is located.
- (e) Only address and name of occupant allowed on sign.
- (f) May include only building name, date of construction,

or historical data on historical site.

- (g) If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign.
  - (h) The provisions governing portable/temporary signs shall apply. See section 14-370.
  - (i) Window signs shall be allowed without a permit and shall not be included when calculating cumulative sign area. However, in no event shall more than fifty (50) percent of window area be obscured.
  - (j) Directory signs, freestanding or on buildings, shall be allowed without a permit and shall not be included when calculating cumulative sign area, provided the sign area for each tenant does not exceed one and one-half (1.5) square feet.
  - (k) Flags used as a symbol of a government, political subdivision or other entity. Any flag not meeting this description shall be considered a banner sign or pennant and shall be subject to regulation as such.
- (b) *Table 2. Sign regulations by zone.* Table 2 is comprised of fourteen (14) individual charts outlining sign regulations for each zone in the city. Regulations are for permanent freestanding and building signs and shall not apply to portable/temporary signs, special sign types, incidental signs, directory signs or exempt signs. See applicable sections of this division for regulations governing such signs.

Other applicable regulations:

- \* Signs in historic districts, in historic landscape districts, or on individual landmark properties shall also be subject to the provisions of article IX of this chapter. Where the regulations of article IX are more stringent than those set forth in this division, the more stringent standard shall apply.
- \* Signs associated with projects otherwise subject to site plan review shall also be subject to the provisions of

article V of this chapter.

- \* Signs located in the Pedestrian Activities District (PAD) overlay zone and in PAD Encouragement Areas within the B-3 zone shall also be subject to the standards set forth in the Downtown Urban Design Guidelines.

**Contents of Table 2:**

2.1 Sign Regulations for R-1--R-7, IR-1--IR-3 Residential Zones

2.2 Sign Regulations for Institutional Uses in Residential Zones

2.3 Sign Regulations for RP Residence-Professional Zone

2.4 Sign Regulations for ROS/RPZ Open Space Zones & Signs in all Municipal Parks

2.5 Sign Regulations for B-1 Neighborhood Business Zone - Single Tenant Lots

2.6 Sign Regulations for B-2 Regional Business Zone - Single Tenant Lots

2.7 Sign Regulations for AB Airport Business Zone - Single Tenant Lots

2.8 Sign Regulations for B-3 Downtown Business, B-5 Urban Commercial, B-6 and B-7 Mixed Use Urban, WC Waterfront Central, WSU Waterfront Special Use, and EWP, Eastern Waterfront Port Zones.

2.9 Sign Regulations for IB Island Business Zone - Single Tenant Lots

2.10 Sign Regulations for B-4 Commercial Corridor Zone - Single Tenant Lots

2.11 Sign Regulations for OP Office Park Zones

2.12 Sign Regulations for I-L, I-Lb, I-M, I-Ma, I-Mb, I-H, I-Hb Industrial and WPD Waterfront Port Development Zones

2.13 Sign Regulations for B-1, B-2, AB, IB, and B-4 Business Zones - Multi-Tenant Lots

2.14 Sign Regulations for Gas Stations - All Zones Where Permitted