



City of Milford, Connecticut

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Department of Permitting
and Land Use

David B. Sulkis,
City Planner

Zoning Regulation Amendment #20-5

TO:

<input checked="" type="checkbox"/>	South Central Regional Council of Governments
<input checked="" type="checkbox"/>	Greater Bridgeport Regional Planning Council
<input checked="" type="checkbox"/>	City Attorney, City of Milford
<input checked="" type="checkbox"/>	State of CT DEEP
<input checked="" type="checkbox"/>	City of West Haven, City Clerk
<input checked="" type="checkbox"/>	Town of Stratford, City Clerk
<input checked="" type="checkbox"/>	Town of Orange, City Clerk

FROM: David B. Sulkis, City Planner/DBS

DATE: February 25, 2020

RE: **Proposed Changes to the City of Milford Zoning Regulations:**
Sections 5.2.1, 5.2.5, 5.3.6 and 11.2 Electronic Digital Billboard Signs

In accordance with Milford Zoning Regulations 10.3 and CT General Statute's 8-3b and 22a-104, the distribution of the following proposed regulation changes is submitted for your agency's review and comment. Please provide this office with acknowledgment of your receipt of this memorandum and provide your comments or approval within 35 days of the above date.

EXISTING TEXT:

5.2.1 General Purpose: This regulation of outdoor lighting applies to both permanently installed outdoor light fixtures and temporary installation of lighting for special events (i.e. carnivals, grand openings), and is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misarranged light fixtures that produce direct glare, light trespass, and also that such regulation is necessary to improve or maintain nighttime public safety, utility and security.

PROPOSED TEXT: (Changes indicated in **BOLD italicized text**)

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security. *Electronic Digital Billboard Signs shall be exempt from the provisions of this section 5.2., except as provided in Section 5.2.5.*

(NEW) 5.2.5 – Electronic Digital Billboard Signs shall conform to the following standards in lieu of providing a Lighting Plan as set forth in section 5.2.4:

1. *Illumination produced by an Electronic Digital Billboard Sign with a face size of 14' x 48' shall not exceed 0.3 foot-candles of illumination over ambient light levels as measured by a foot-candle meter from a distance of 250 feet perpendicular to the Sign face as certified by a licensed architect or engineer.*
2. *Measurements shall be taken as close to perpendicular to the face of the Electronic Digital Billboard Sign face as practical.*
3. *If site conditions will not allow measurements from 250', or in the event it is found not to be practical to measure the foot-candle level of a Digital Billboard Sign at the 250' distance prescribed above, a measurer may opt to measure the Sign at any of the alternative measuring distances described in the table set forth below. In the event the sign measurer chooses to measure the Sign using an alternative measuring distance, the prescribed foot-candle level above ambient light shall not exceed the prescribed levels, as certified by a licensed architect or engineer, based on the alternative measuring distances set forth in the following table:*

<u>Alternative Measuring Distance</u>	<u>Prescribed Foot-Candle Level</u>
100	1.88
125	1.2
150	0.83
200	0.47
250	0.3
275	0.25
300	0.21
325	0.18
350	0.15
400	0.12

(NEW) 5.3.6(A) – Electronic Digital Billboard Signs.

5.3.6(A) – Electronic Digital Billboard Signs in LI, CDD-1 and ID Zoning Districts:

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Subject to all other provisions and limitations of these Regulations, Electronic Digital Billboard Signs shall be allowed in LI, CDD-1 and ID Zoning Districts, subject to a zoning permit and the following additional conditions and safeguards. Electronic Digital Billboard Signs shall:

- 1. Be limited to the conversion from conforming and legal non-conforming Commercial Advertising Signs existing as of the effective date of this Regulation to an Electronic Digital Billboard Sign provided that there is no increase in the non-conformity including but not limited to height, distance, size and location requirements.*
- 2. Be erected as a ground sign and located on real property in the LI, CDD-1 and ID Zoning Districts, which abuts the non-access highway line of the I-95 road system or an access ramp or Right of Way with respect thereto (hereinafter collectively the "I-95 Corridor").*
- 3. Comply with the provisions of section 5.2.5.*
- 4. Have the illuminated display facing the I-95 Corridor at an angle of 90 degrees or less at the point nearest the sign structure.*
- 5. Have the illuminated display located no more than a distance of 200 feet from the I-95 Corridor.*
- 6. Except as specifically set forth in this subsection, the restrictions in Sections 5.3.7.9 and 5.3.7.16 shall continue in full force and effect. Electronic Digital Billboard Signs shall not be considered "flashing signs or advertising devices" or "Electronic message signs" for the purposes of these Regulations.*
- 7. Subject to the requirements of this section, V-Type Commercial Advertising Signs and/or Back to Back Commercial Advertising Signs (where they currently exist on the effective date of this regulation) shall be allowed under the definition of Electronic Digital Billboard Signs, notwithstanding anything else in these regulations to the contrary.*

Article XI Definitions; Section 11.2 OTHER TERMS:

(NEW) Signs, Electronic Digital Billboard. *An Electronic Digital Billboard Sign is a billboard that displays digital images that are changed remotely. Electronic Digital Billboard Signs shall conform to the following:*

- 1. Change content no more frequently than once every ten (10) seconds;*
- 2. The static display shall not move, appear to move or change in intensity;*

3. *Must automatically adjust the brightness not to exceed 0.3 foot-candles above ambient light conditions measured at a distance of 250', or must meet the foot-candle level prescribed for Alternative Measuring Distance, as prescribed in Section 5.2.5;*
4. *Must have an ambient light sensing device installed on the sign structure that will adjust the brightness as ambient light conditions change;*
5. *Must utilize dimming software; and*
6. *Light produced by an Electronic Digital Billboard Sign with a face size of 14' x 48' shall not exceed 0.3 foot-candles over ambient light levels measured at a distance of 250', or must meet the foot-candle level prescribed for Alternative Measuring Distance, as prescribed in section 5.2.5.*

(NEW) Signs, LED Display. *A flat panel display which uses an array of light-emitting diodes as pixels for a static visual display.*

(NEW) Signs, Commercial Advertising, V-Type. *A structure with two (2) sign faces forming the shape of the letter "V" when viewed from above, with an angle between the two faces of not more than 60 degrees.*

(NEW) Signs, Commercial Advertising, Back to Back. *A structure with two (2) parallel sign faces oriented in opposite directions.*

REASON FOR CHANGE:

To allow modernization and conversion of existing conforming and legal non-conforming billboards abutting the I-95 Corridor to Electronic Digital Billboard Signs.

A petition for substantially the same change in regulations has previously been filed:

Yes X No ___ If yes, date of hearing: 11/19/2019 & 12/17/2019

This regulation change is proposed by:

Petitioner: Mr. Dominick DeMartino through his agent Kevin J. Curseaden, Esq.

Cc: James Quish, Chairman, P & Z
Joseph D. Griffith, Director,
DPLU

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2. *Measurements shall be taken as close to perpendicular to the face of the Electronic Digital Billboard Sign face as practical.*
3. *If site conditions will not allow measurements from 250', or in the event it is found not to be practical to measure the foot-candle level of a Digital Billboard Sign at the 250' distance prescribed above, a measurer may opt to measure the Sign at any of the alternative measuring distances described in the table set forth below. In the event the sign measurer chooses to measure the Sign using an alternative measuring distance, the prescribed foot-candle level above ambient light shall not exceed the prescribed levels, as certified by a licensed architect or engineer, based on the alternative measuring distances set forth in the following table:*

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