

12/19/2023 DRAFT

ARTICLE XX: Zoning Bylaw – Section 7-09-040, Signs

To see if the Town will vote to amend Part 7 of the Northborough Town Code, the Northborough Zoning Bylaw, Section 7-09-040 Signs, by deleting the text shown below in strikethrough and adding the text shown below as underlined, or take any action relative thereto.

7-09-040 Signs.

A. **Purpose.** Signs are a necessary means of communicating information. Since signs are intended to be seen, they attract attention and are one ~~(1)~~ of the most visible and apparent aspects of a town's character. They tend to produce a lasting impression on residents and visitors, and they provide an indication of the commercial health of a business area and a town as a whole. Simplicity in design and restrained use of signs are necessary to prevent a sign overload, which creates clutter and is as confusing as no signs at all.

B. **Definitions.** For the purpose of this section, the following terms shall have the following meanings:

(3) BANNER SIGN – A temporary sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic, vinyl, or fabric of any kind. ~~National flags, flags of political subdivisions, and flags with insignia of any government and symbolic flags of any institution or business shall not be considered banners for the purpose of this section.~~

(4) BILLBOARD SIGN - A sign which advertises a business, service, product, commodity, entertainment or similar object or activity which is conducted, sold or offered on a lot other than the lot on which the sign is erected.

(5) BUSINESS CENTER - Any aggregation of three (3) or more business or industrial tenants which share a common parking area.

(6) CONSTRUCTION SIGN - A sign identifying the proposed building, the owner or intended occupant and the contractor, architect and engineers. A construction sign for more than a single lot will be considered to be a subdivision sign.

(7) DIRECTIONAL OR INFORMATIONAL SIGN - A sign which is necessary for the safety and direction of vehicular or pedestrian traffic.

(8) DIRECTORY SIGN - A sign listing the name and location of the occupants of a site or building.

(9) DISPLAY AREA - See "sign area."

(10) ELECTRONIC MESSAGE CENTER - Any sign that utilizes computer-generated messages or some other electronic means of changing copy.

(11) ERECTING - Any installing, constructing, reconstructing, replacing, relocating, re-lettering, except as specifically provided, extending, altering or otherwise changing of a sign. "Erecting" shall not include repairing or maintaining an existing sign.

(12) EXTERNALLY ILLUMINATED SIGN – a sign which utilizes a steady external and stationary light source which is shielded and directed solely at the sign.

~~(12)~~ (13) EXTERIOR SIGN - A wall sign, projecting sign or awning sign placed on or about the exterior of any structure.

~~(13)~~ (14) FLAG - A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol, standard, signal or emblem.

~~(14)~~ (15) FREESTANDING SIGN - A non-movable sign not affixed to any building but constructed in a permanently fixed location of the ground with its own support structure, including a monument sign, and displaying a sign face on not more than two (2) sides.

~~(16)~~ GASOLINE CANOPY SIGN - A permanent sign consisting of letters and or logo surrounding the covering structure placed over the gasoline pumps.

~~(15)~~ (17) GASOLINE PUMP SIGN - The standard type of gasoline pump bearing thereon in the usual size and form the name or type of gasoline and the price thereof.

~~(16)~~ (18) INDIVIDUAL LETTER SIGN - A wall sign consisting of individual letters, mounted to a building surface without any background or frame.

(19) INTERNALLY ILLUMINATED SIGN - A sign that is illuminated by a light source internal to the sign. Internally illuminated signs include signs which utilize translucent panels.

~~(17)~~ (20) MONUMENT SIGN – A sign which is attached to and in contact with the ground over the full width of its display area.

MOVABLE SIGN - Any sign not permanently attached to the ground or to a building or permanent structure, which is designed to be portable, such as an A-frame, H-frame, T-frame, banner or flag, trailer sign placed on the surface of the ground, temporarily staked into the ground or a sign attached to a motor vehicle (registered or unregistered).

~~(18)~~ (21) NEON SIGN - A sign which features exposed glass tubing filled with fluorescent gas.

~~(19)~~ (22) OFFICE PARK OR INDUSTRIAL PARK - See “business center.”

~~(20)~~ (23) PENNANT SIGN - Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

~~(21)~~ (24) PERMANENT SIGN - A sign that is permanently attached to a building or having in-ground supporting structure(s) or braces.

~~(22)~~ (25) POLITICAL SIGN - A sign designated to influence the action of voters for the passage or defeat of a measure, or the election of a candidate to a public office at a national, state, county or local election.

~~(23)~~ (26) PROJECTING OR BLADE SIGN - A sign which is permanently affixed to the exterior surface of a building or structure with the display area positioned perpendicular to the wall to which the sign is mounted.

~~(24)~~ (27) REAL ESTATE SIGN - A sign which is used to offer for sale, lease or rent the property upon which the sign is placed.

~~(25)~~ (28) ROOF SIGN - A sign attached to or erected wholly upon and over the roof of any building and supported solely on the roof structure; including a parapet or the lower slope of a gambrel or mansard roof.

(29) SHOPPING CENTER – See “business center.”

~~(27)~~ (30) SIGN - Any words, lettering, parts or letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, whether stationary or portable, by which anything is made known, such as are used to designate or locate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which are visible from a public or private street or right-of-way and used to attract attention.

~~(28)~~ (31) SIGN AREA - The area of the smallest horizontally or vertically oriented rectangle which could enclose all the display area of the sign, together with any backing different in color or material from the finish material of the building face, without deduction for open space or other irregularities. Structural members not bearing advertising matter shall not be included unless internally or decoratively lighted. Where sign faces are placed back-to-back and face in opposite directions, the sign area shall be defined as the area of one (1) face of the sign.

~~(29)~~ (32) SPECIAL EVENT SIGN - A sign, which is to be portable, to announce a church bazaar, fair, circus, festival, business or shop opening, special sale by a store or business or similar event. Such sign shall identify the event and the date of the event, and it may display the event's sponsor, organizer or main feature.

~~(30)~~ (33) SUBDIVISION SIGN - A sign to identify the name of the residential subdivision and located on the property of the subdivision.

~~(31)~~ (34) TEMPORARY SIGN - A sign that is used only temporarily, for a specific length of time, and is not permanently mounted, including sandwich board signs.

~~(32)~~ (35) TENANT - As used in this section, "tenant" means a business or other establishment occupying space within a building under an agreement with the owner, or the owner-occupant of the building.

~~(33)~~ (36) TRAILER SIGN - A sign mounted on a vehicle normally licensed by the state as a trailer and used for advertising or promotional purposes.

~~(34)~~ (37) WALL SIGN - A sign which is painted or otherwise permanently affixed to a vertical exterior surface of a building or structure with the display area positioned parallel with the wall to which the sign is mounted. ~~and including such a sign affixed to a parapet or to the lower slope of a gambrel or mansard roof.~~

~~(35)~~ (38) WINDOW SIGN - A sign, picture, symbol or message that is placed inside a window, drawn, painted or etched on the window pane or glass or otherwise attached in or on a window and visible from the exterior of the window, not including any part of a customary window display of merchandise or other product.

C. Sign permits. Non-Conformity and Compliance.

(1) No sign shall be erected on the exterior of any building or on any land unless the Building Inspector has issued a sign permit. Application for a sign permit shall be on the form prescribed by the Building Inspector and shall include such information and drawings as the Building Inspector requires.

(2) Design review by the Design Review Committee is required for any electronic message center, wall, projecting, or freestanding sign in the Downtown Business District. The Design Review Committee shall prepare, and the Planning Board shall approve, guidelines relating to appropriate sign design for the Downtown Business District. The Design Review Committee shall review the sign permit application for compliance with those Guidelines and send its written review letter with recommendations regarding sign design to the Building Inspector within twenty (20) days of receipt of the sign permit application. Failure of the Design Review Committee to act within twenty (20) days shall be deemed a lack of opposition thereto. The deadline may be extended by mutual agreement of the Design Review Committee and the applicant. Any such extension shall automatically extend the period within which the Building Inspector is required to act on a sign permit.

~~(23)~~ All signs erected hereunder shall be erected in the exact location and manner described in the permit.

~~(34)~~ The re-lettering of a sign shall be equivalent to the erecting of a new sign, except when the original wording is reproduced. Any new sign shall comply with this Bylaw.

(5) Nonconforming signs shall not be altered, enlarged, redesigned, or structurally altered except in conformity with this bylaw.

D. Basic requirements.

(1) The only signs allowed in the Town of Northborough are signs that advertise, call attention to or indicate the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or that advertise the property itself or any part thereof as for sale or rent and which contain no other matter. Signs should not

display brand-names, symbols, or slogans of nationally distributed products except in cases where the majority of the floor area on the premises is devoted to manufacture, sale, or other processing of that specific product.

(3) No sign shall be part of or attached to roofs, including such a sign affixed to a parapet or to the lower slope of a gambrel or mansard roof, marquees, or awnings gasoline canopies.

(4) Flashing, moving and animated signs are prohibited. No sign shall move or flash or be designed to attract the eye by intermittent or repeated motions.

(6) Changeable copy signs that provide a variable message, the content of which is changed manually, are allowed. In the Downtown Business District (DB), they are allowed only where used for gasoline filling stations and municipal or institutional purposes.

(12) Electronic message centers are specifically prohibited in Downtown Business, Business East, Business West, Business South, and all residential districts except where used for municipal or institutional purposes. No Use Variance is allowed.

(13) Signs shall not be made of vinyl in any district. No Use Variance is allowed.

(14) Plastic signs are specifically prohibited in the Downtown Business District. No Use Variance allowed.

(15) No sign shall be illuminated by exposed neon or fluorescent tubes.

(16) Awnings are allowed for first floor businesses only and shall not extend above or beyond any top or side edge of the façade, cornice, moldings or trim of the building to which the awning is attached. Signs are allowed on the apron of the awning only.

(17) Projecting signs are subject to a minimum height requirement of ten (10) feet from grade level to the bottom of the sign. A projecting sign shall not extend vertically above the highest point of the building façade upon which it is mounted and shall not extend over a walkway in excess of two-thirds (2/3) of the width of the sidewalk.

(18) Window signs are allowed in business districts only. All combined window signage shall be limited to 10% of the total glass area on any one façade/side of a building.

(19) Signs attached to any utility box or pole, tree, or hydrant are prohibited.

E. Construction and maintenance of signs.

(1) All signs shall be constructed of durable and weatherproof material. They shall be maintained in safe structural condition and good visual appearance at all times, and no sign or awning shall be left in a dangerous or defective state. The Building Inspector shall have the authority to inspect any sign or awning and order the owner to paint, repair or remove a sign which constitutes a hazard or a nuisance due to improper or illegal installation, dilapidation, damage, or inadequate maintenance.

(2) No sign shall be painted or posted directly on the exterior surface of any wall, including windows and doors. All signs must be painted, posted or otherwise securely affixed to a substantial intermediate removable surface, and such surface shall be securely affixed to the wall of the building. However, the foregoing shall not prevent installation of a sign by individual letters or devices cut into or securely affixed to the exterior wall of a building; provided, that such letters or devices have a minimum depth or projection of one-fourth (1/4) of an inch. The material of the sign and intermediate surface, and the manner of affixing the sign to the intermediate surface and of the intermediate surface to the wall of the building, shall be subject to the approval of the Building Inspector for the purpose of protecting the safety of the public. Notwithstanding the foregoing, signs may be painted or posted on the interior surface of any wall, including windows and doors.

(3) Any sign, together with its structural elements, which advertises or calls attention to any business or services of owner or tenant which are no longer operational shall be removed by the owner within thirty (30) days of the date on which the operation ceased.

F. Signs in residential districts.

(3) In a residential district, no internally illuminated signs shall be permitted except when associated with an allowed nonresidential use or a lawfully pre-existing nonconforming business use. Externally illuminated signs are permitted.
~~Lighting of signs for nonresidential uses shall comply with subsection (D)(5) of this section.~~

G. Signs in business districts.

(1) Type, size and number of signs. There shall not be more than the following on each lot:

(a) **Downtown Business District.**

[1] Lot with one (1) or two (2) tenants:

[a] Freestanding sign: one (1) freestanding sign; size not to exceed thirty-two (32) square feet, height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name(s) of tenant(s) and address of the facility, in a fixed manner. Auto filling stations ~~and~~ may have an additional sixteen (16) square feet of space for changeable copy message.

[b] Wall sign: one (1) wall sign not to exceed 10% of the wall size of the unit or thirty-two (32) square feet in area (whichever is smaller) for each tenant. ~~or two (2) wall signs with a combined total area not to exceed thirty-two (32) square feet.~~

[c] Projecting Sign: one (1) sign shall be allowed for each tenant on each elevation of a building with a customer entrance.

[d] Sandwich Board Sign: one (1) sandwich board sign not to exceed fifteen (15) square feet may be used for each tenant provided that it does not interrupt the safe flow of pedestrian, cyclist or automobile traffic. The sign shall be brought in at the close of business each day.

[e] Directory sign: one (1) directory of the tenants of the building, affixed to the exterior wall. The area of the directory sign shall not exceed one (1) square foot for each tenant of the building.

[2] Lot with three (3) or more tenants.

[a] Freestanding sign: one (1) freestanding sign for each ten (10) tenants; size not to exceed forty (40) square feet, height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name and address of the facility in a fixed manner, and may include space for listing of individual tenants. Auto filling stations ~~and~~ may have an additional twenty (20) square feet of space for changeable copy message. When more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs and no sign shall be located so as to obstruct the viewing of any other sign.

[b] Wall sign: one (1) wall sign not to exceed 10% of the unit wall space of the unit or thirty-two (32) square feet, whichever is smaller, for each tenant, attached to the wall of the store, ~~or~~ two (2) wall signs with a combined total area not exceeding thirty-two (32) square feet.

[c] Projecting Sign: one (1) sign shall be allowed for each tenant on each elevation of a building with a customer entrance.

[d] Sandwich Board Sign: one (1) sandwich board sign not to exceed fifteen (15) square feet may be used for each tenant provided that it does not interrupt the safe flow of pedestrian, cyclist or automobile traffic. The sign shall be brought in at the close of business each day.

[e] Directory sign: one (1) directory of the tenants affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each tenant of the building.

(b) Business East, Business West, and Business South Districts.

[1] Lot with one (1) or two (2) tenants.

[a] Freestanding sign: one (1) freestanding sign, size not to exceed thirty-two (32) square feet in area, height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name(s) of the tenant(s) and address, in a fixed manner and may have an additional sixteen (16) square feet of space for changeable-copy message.

[b] Wall sign: one (1) wall sign not to exceed 10% of the wall size of the unit or thirty-two (32) square feet in area, whichever is smaller, for each tenant, or two (2) wall signs with a combined total area not to exceed thirty-two (32) square feet for each tenant.

[c] Sandwich Board Sign: one (1) sandwich board sign not to exceed fifteen (15) square feet may be used for each tenant provided that it does not interrupt the safe flow of pedestrian, cyclist or automobile traffic. The sign shall be brought in at the close of business each day.

[d] Directory sign: one (1) directory of the tenants of the facility, affixed to the exterior wall. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each tenant of the building.

[2] Lot with three (3) or more tenants.

[a] Freestanding sign: one (1) freestanding sign for each ten (10) tenants located on the lot; size not to exceed fifty (50) square feet, height not to exceed ten (10) feet as measured from the ground to the highest point of the sign or twelve (12) feet to the top of the sign structure. The freestanding sign shall indicate the name of the facility and address in a fixed manner and may have space for listings of individual tenants. and may have an additional twenty-five (25) square feet of space for changeable-copy message.-When there is more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs, and no sign shall be located to obstruct the viewing of any other sign.

[b] Wall sign: one (1) wall sign not to exceed 10% of wall size of the unit or thirty-two (32) square feet, whichever is smaller, for each tenant, attached to the wall of the store, or two (2) wall signs with a combined total area not exceeding thirty-two (32) square feet for each tenant.

[c] Sandwich Board Sign: one (1) sandwich board sign not to exceed six (6) square feet may be used for each tenant provided that it does not interrupt the safe flow of pedestrian, cyclist or automobile traffic. The sign shall be brought in at the close of business each day.

[d] Directory sign: one (1) directory of the tenants of the building affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each tenant of the building.

(c) **Highway Business District.**

[1] Lot with one (1) or two (2) tenants.

[a] Freestanding sign. Not more than one (1) freestanding sign, size not to exceed one hundred (100) square feet, height not to exceed twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name(s) of the tenant(s), in a fixed manner and may have an additional fifty (50) square feet of space for changeable-copy message. Electronic message centers may be used as part of a freestanding sign.

[b] Wall sign: one (1) wall sign, size not to exceed 10% of the wall size or two-one hundred fifty (250) square feet, whichever is smaller, for each tenant, or two (2) wall signs with a combined total area not to exceed two hundred fifty (250) one hundred (100) square feet for each tenant.

[c] Directory sign: one (1) directory of the tenants of the building affixed to the exterior wall. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each tenant of the building.

[2] Lot with three (3) or more tenants.

[a] Freestanding sign. Not more than one (1) freestanding sign for each ten (10) tenants located on the lot; size not to exceed one hundred (100) square feet, height not to exceed twenty (20) feet as measured from the ground to the highest point of the sign. The freestanding sign shall indicate the name of the facility and address in a fixed manner and may have space for listings of individual tenants—and may have an additional fifty (50) square feet of space for changeable-copy message. When there is more than one (1) freestanding sign on a lot, there shall be not less than fifty (50) feet between signs, and no sign shall be located to obstruct the viewing of any other sign.

~~[3]~~[b] Wall sign: one (1) wall sign, size not to exceed 10% of the wall size or two-one hundred fifty (250) square feet, whichever is smaller, for each tenant, or two (2) wall signs with a combined total area not to exceed two hundred fifty (250) one hundred (100) square feet for each tenant.

~~[4]~~[c] Directory sign. There may be not more than one (1) directory of the tenants of the building affixed to the exterior wall of the building. Such directory sign shall not exceed an area determined on the basis of one (1) square foot for each occupant or tenant of the building.

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(2) Location.

(a) A freestanding sign shall be permitted only when erected on the property which is advertised, and no portion of the sign shall be located within the airspace above any other abutting property.

(b) A wall sign attached to a building shall be securely affixed to one (1) of the walls of the building. The sign shall not project beyond the face of any other wall of the building or above the top of the wall

to which it is attached, nor shall it be located on the roof of any building. In the case of a sign parallel to the wall, the sign shall not project more than twelve (12) inches. In the case of a sign perpendicular to the wall, the sign shall not project more than six (6) feet from the face of the wall to which it is attached. If the sign is attached to a parapet, it shall not exceed the height of the parapet.

(c) In no case shall any sign or part thereof project over a property line or over a public way.

(3) Temporary signs. Signs for the purpose of announcing a special day or event and not to exist more than ~~fifty-six (56)~~ thirty (30) days per calendar year shall be permitted. The Board of Selectmen may grant an extension of this time period. One (1) exterior movable sign shall be limited to fifteen (15) square feet. One (1) temporary sign shall be permitted for each freestanding sign as permitted by this section. Temporary signs shall be placed a minimum distance of thirty (30) feet apart from each other. Temporary signs affixed to the inside of a window shall not exceed thirty percent (30%) of the window area of the storefront. To place a temporary sign on property other than that which is being advertised, the applicant must have written permission from the landowner and the Board of Selectmen.

H. Signs in the Industrial District.

(1) Signs shall be allowed that advertise the name of the firm or goods or services available or manufactured on the premises; provided, that:

(a) No sign shall project over a street or way used by the public.

(b) The total area of all signs shall not exceed two hundred (200) square feet.

~~(c) No sign shall move or flash or be designed to attract the eye by intermittent or repeated motions.~~

~~(d) No sign shall be illuminated by exposed neon or fluorescent tubes.~~

(ce) No sign shall constitute a hazard to vehicular traffic by the direction of and amount of its illumination.

(d#) The length of the sign shall not exceed thirty percent (30%) of the total width of the wall to which it is attached.

(eg) All lettering is to be open and the height of the letters shall be limited to eight (8) feet.

~~(fh)~~ Such signs shall be attached and parallel to a building wall or roof, and the top of the sign shall not project higher than forty-two (42) inches above the main cornice line of the building or extend beyond the end of the building or project more than twenty-four (24) inches out from the building wall.

(2) No more than two (2) directional signs may be erected in any required front yard, and each shall be limited to four (4) square feet in area.

(3) Freestanding signs. Freestanding signs shall not exceed twenty (20) feet in height measured from the ground to the highest point of the sign or sign structure, and shall not exceed forty-two (42) square feet in area. An additional twenty (20) square feet may be added for changeable copy message. Electronic message centers may be used as part of a freestanding sign.

K. Permit not required. The following types of signs do not require a permit from the Building Inspector:

(10) Historic Signs, Markers and municipal plaques. Signs and markers signifying historical importance and municipal plaques shall not be subject to this By-law and shall be permitted in all use districts without permit.