

## SECTION 7.

### SIGNS AND ADVERTISING DEVICES

**7.1** **Purpose** – Signs are a necessary means of communicating information. Generally, signs are intended to be highly visible. They attract attention and are one 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. The purposes of this section are:

- 7.1.1 To promote the safety and welfare of residents, businesses and visitors;
- 7.1.2 To enhance the safety of all traffic participants by encouraging simple messages and by preventing sign overload, clutter and confusion;
- 7.1.3 To encourage the effective use of signs as a means of communication, information and advertisement;
- 7.1.4 To foster free and effective expression and advertising, through creative and distinctive design;
- 7.1.5 To maintain and enhance the aesthetics of the built environment and the character of the Town;
- 7.1.6 To encourage signs which by their location, size and design are in harmony and compatible with the surrounding BUILDINGS and environment;
- 7.1.7 To maintain and promote economic health and stability;
- 7.1.8 To further the general purposes of this Bylaw.

**7.2** **Definitions** – For the purposes of this Section, the following terms shall have the following meaning. The terms defined below are capitalized in the following parts of this Section in addition to the terms defined in Section 1.

- 7.2.1 AWNING SIGN – A permanent SIGN which is affixed to or consists of a permanent or retractable awning or marquee permanently mounted to the exterior surface of a BUILDING.
- 7.2.2 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.
- 7.2.3 BUSINESS CENTER – For the purpose of this Section, BUSINESS CENTER shall be defined as a business development occupied by or available for occupancy to at least two distinctly separate businesses on one or more adjacent LOTS sharing common facilities such as driveways and parking areas.
- 7.2.4 DISPLAY AREA – The total surface area of a SIGN, including all lettering, wording, designs, symbols, background and frame, but not including any support structure or bracing incidental to the SIGN. The DISPLAY AREA of an INDIVIDUAL LETTER SIGN, AWNING SIGN or irregularly shaped SIGN shall be the area of the smallest rectangle

into which the letters, designs or symbols will fit. Where SIGN faces are placed back to back and face in opposite directions, the DISPLAY AREA shall be defined as the area of one face of the SIGN.

- 7.2.5 ERECTING – Any installing, constructing, reconstructing, replacing, relocating or extending of a SIGN, but ERECTING shall not include repairing, maintaining, re-lettering, or repainting of an existing SIGN.
- 7.2.6 EXTERIOR SIGN – A WALL SIGN, PROJECTING SIGN or AWNING SIGN.
- 7.2.7 FREESTANDING SIGN – A non-movable SIGN not affixed to any BUILDING but constructed in a permanently fixed location on the ground with its own support structure, including a MONUMENT SIGN, and displaying a SIGN face on not more than two sides.
- 7.2.8 INDIVIDUAL LETTER SIGN – A WALL SIGN consisting of individual letters mounted to a BUILDING surface without any background or frame.
- 7.2.9 MONUMENT SIGN – A form of a FREESTANDING SIGN which is attached to and in contact with the ground over the full width of its DISPLAY AREA.
- 7.2.10 NEON SIGN – A SIGN which features exposed glass tubing filled with fluorescent gas.
- 7.2.11 LED SIGN – A SIGN that features light emitting diodes arranged in a pattern to create pictures, symbols or letters.
- 7.2.12 OFFICE PARK or INDUSTRIAL PARK – For the purpose of this Section, OFFICE PARK or INDUSTRIAL PARK shall be defined as a development of two or more BUILDINGS on one or more adjacent LOTS totaling at least 50,000 square feet of NET FLOOR AREA and available for occupancy by users of office or industrial BUILDING space.
- 7.2.13 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 or T-frame SIGN placed on the surface of the ground or temporarily staked into the ground.
- 7.2.14 PROJECTING 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.
- 7.2.15 ROOF SIGN – A SIGN which is painted, mounted or in any way projected above the lowest point of the eaves of a BUILDING or STRUCTURE, not including any SIGN defined as a WALL SIGN and not including any WALL SIGN mounted on a vertical BUILDING wall located above the eaves of any lower portion or wing of a BUILDING.
- 7.2.16 SIGN – Any symbol, design or device used to identify or advertise any place, business, product, activity, service, person, idea or statement.
- 7.2.17 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.
- 7.2.18 WINDOW SIGN – A SIGN, picture, symbol or message visible from the window's exterior side, either hung or otherwise attached directly to the inside of a window, or

painted or etched on either side of the window pane or glass, not including any part of a customary window display of merchandise or other product.

7.2.19 TEMPORARY or SPECIAL EVENT SIGN – A temporary SIGN to announce a church bazaar, fair, circus, festival, business or shop opening, special sale by a store or business, or similar event; or a temporary SIGN for a business in place of a permanent sign.

### **7.3 SIGNS Prohibited in All Districts**

7.3.1 Any SIGN ERECTED in violation of this Bylaw.

7.3.2 BILLBOARD SIGNS unless specifically authorized herein; and SIGNS on utility poles, communication towers, water towers, fences, trees, shrubs or other natural features, except for directional SIGNS listed in Section 7.5.3.

7.3.3 Any SIGN ERECTED within or above a STREET or affixed to public property, except for permitted EXTERIOR SIGNS above a sidewalk and except for SIGNS within or above a STREET or affixed to public property for which written approval has been issued by the Board of Selectmen or its designee. The Board of Selectmen may adopt and from time to time amend policies and regulations regarding SIGNS within or above a STREET or affixed to public property.

7.3.4 MOVABLE SIGNS except as specifically provided herein. Any SIGN designed to be transported by means of wheels, and SIGNS attached to or painted on vehicles parked and visible from a STREET or a right of way customarily used by the general public, unless said vehicle is registered and used, as a vehicle, in the normal day-to-day operations of the business.

7.3.5 ROOF SIGNS, and any other SIGNS on a LOT which in any way are projected above a BUILDING or STRUCTURE.

7.3.6 Except as specifically provided herein, any SIGN consisting of or containing pennants; ribbons; streamers; spinners; balloons; strings of lights not associated with a specific religious holiday; flags other than those identifying a nation, state, city or town or located on land owned by the Town of Acton; revolving beacons; searchlights; animation.

7.3.7 SIGNS that change or rearrange characters or letters or illustrations, except as specifically provided herein; or flash, rotate, or make noise; or sparkle, twinkle or purposely reflect sunlight; or move, or give the illusion of moving, except for indicators of time and temperature or barber poles.

7.3.8 Where this Bylaw requires minimum side or rear yards for BUILDINGS AND STRUCTURES, any FREESTANDING SIGN ERECTED in such minimum yard, unless such SIGN is a directional SIGN listed in Section 7.5.3.

7.3.9 Any SIGN or advertising device which due to its shape or combination and arrangement of colors and/or words resemble traffic SIGNS and traffic control devices.

7.3.10 Any SIGN which in any way creates a hazard to traffic participants, obscures or confuses traffic controls or blocks safe sight distance.

7.3.11 Any SIGN which in any way obstructs free entrance or egress from a door, window or fire escape.

7.3.12 Any SIGN advertising or identifying a business, service, product, commodity, entertainment or similar object or activity which has been discontinued. Such SIGN shall be removed promptly, in any case within 30 days after notice by the Zoning Enforcement Officer.

7.3.13 Any SIGN that depicts, describes or relates to nudity or sexual conduct as defined in M.G.L., Ch. 272, s. 31, and that is visible from the outside of a BUILDING.

**7.4 General Regulations** – Except where stated otherwise, the following provisions shall apply to SIGNS in all Zoning Districts.

7.4.1 Design – In the Village Districts no visible portion or exterior surface of any EXTERIOR or FREESTANDING SIGN shall be made of plastic, other petroleum based products, or sheet metal, except that in the EAV District such materials may be used provided that the visible portions and exterior surfaces of a SIGN have a wooden appearance.

7.4.2 Construction and Maintenance – SIGNS shall be constructed of durable and weatherproof materials. They shall be maintained in safe structural condition and good visual appearance at all times and no SIGN shall be left in a dangerous or defective state. All electrical equipment associated with a SIGN shall be installed and maintained in accordance with the National Electrical Code. The Zoning Enforcement Officer shall have the authority to inspect any SIGN 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, obsolescence or inadequate maintenance.

7.4.3 Illumination

7.4.3.1 No SIGN shall be illuminated longer than 30 minutes before opening or after closing of any store or business.

7.4.3.2 No SIGN shall incorporate or be lighted by flashing or blinking lights, or by lights changing in intensity.

7.4.3.3 Except as otherwise provided herein, illumination for any SIGN shall be provided through a stationary external light source, with the light projected downward from above and in compliance with section 10.6.2.4.a) of this Bylaw. In no case shall the illumination of a SIGN cause blinding or otherwise obstruct the safe vision of any traffic participant anywhere. SIGN illumination through an external source shall always be white or off-white.

7.4.3.4 The following types of SIGNS with internal or quasi-internal illumination shall be permitted, provided that they comply with all applicable standards of the previous section. The word “opaque” as used in the following Sub-Sections shall mean that the opaque object shall appear black when the sign is lit at night.

- NEON or LED SIGNS, subject to Sections 7.5.17 and 7.13.1.6.
- Opaque INDIVIDUAL LETTER SIGNS or symbols, back-lit with a white and concealed light source, thereby creating an effect by which the letters or symbols are silhouetted against a wall illuminated by said light source.
- SIGNS featuring individual letters or symbols which are cut out from an opaque facing and back-lit with a white and concealed light source, thereby creating an

effect by which the facing, from which the letters or symbols are cut out, is silhouetted against a wall illuminated by said light source.

- d) Back-lit AWNING SIGNS with the light source internal or concealed from public view. Such SIGNS shall not be permitted in a Village District.
- e) INDIVIDUAL LETTER SIGNS with translucent letter faces, internally illuminated with a soft-glow light source; or SIGNS with an opaque SIGN face with cutout translucent letter surfaces which are internally illuminated with a soft-glow light source. Such SIGNS shall not be permitted in a Village District.

7.4.3.5 In the EAV District, PROJECTING SIGNS, AWNING SIGNS, WALL SIGNS and FREESTANDING SIGNS shall not be illuminated except as described in Sections 7.4.3.4 b) or c), or from an external light source with the light projected downward from above.

7.4.3.6 In all other Village Districts:

- a) PROJECTING SIGNS and AWNING SIGNS shall not be illuminated.
- b) WALL SIGNS shall not be illuminated except as described in Sections 7.4.3.4 b) or c), or from an external light source with the light projected downward from above.
- c) FREESTANDING SIGNS shall not be illuminated except as described in Sections 7.4.3.4 b) or c) or from an external light source.

7.4.3.7 The DISPLAY AREA of an illuminated SIGN shall not exceed an average illuminance of 50 foot-candles measured directly on the surface of the SIGN.

7.4.3.8 Where possible, the light fixtures used for SIGN illumination should be classified as "energy efficient", as defined by the power utility company serving the LOT.

7.4.4 Other Regulations

7.4.4.1 Where more than one SIGN is permitted for a PRINCIPAL USE, a combination of not more than two of the following types of SIGNS shall be permitted per PRINCIPAL USE: WALL SIGN, PROJECTING SIGN, AWNING SIGN, and FREESTANDING SIGN. However, in the EAV District, a combination of up to three such SIGN types shall be permitted per PRINCIPAL USE. This section does not apply to any SIGN that does not require a SIGN Permit as listed in Section 7.5, or to an off-premises directional SIGN permitted under Section 7.9, or to a Temporary or Special Event Signs(s) permitted under Section 7.10.

7.4.4.2 The height, width and thickness of a SIGN shall be determined as the maximum vertical and horizontal dimensions of a SIGN including all support structures and bracing.

7.5 **SIGNS Which Do Not Require a SIGN Permit** – The following SIGNS do not require a SIGN Permit or Special Permit, nevertheless such SIGNS shall comply with Sections 7.3 and 7.4 above unless specifically provided otherwise in this section. No such SIGN shall be ERECTED within 5 feet of the sideline of a STREET or any other right of way customarily used by the general public, unless such SIGN is a traffic SIGN, landmark SIGN, directional SIGN, or an EXTERIOR SIGN.

7.5.1 Agricultural SIGNS – A SIGN associated with an agricultural USE as referenced in Section 3 of M.G.L., Ch. 40A, offering for sale produce and other farm products, provided that such a SIGN indicates only the name and price of farm products which

are for sale at the time the SIGN is displayed. The maximum DISPLAY AREA of such SIGN shall be 10 square feet. Such SIGN may be a MOVABLE SIGN.

7.5.2 Construction SIGNS – One SIGN on the LOT of a new project identifying the proposed BUILDING, the owner or intended occupant and the contractor, architect and engineers. Its DISPLAY AREA shall not exceed 8 square feet in the Residential and Village Districts, nor 20 square feet in any other District. Such SIGNS shall not be illuminated and shall not be ERECTED prior to the issuance of a building permit, and it shall be removed upon completion of the construction or prior to issuance of the occupancy permit, whichever occurs sooner.

7.5.3 Directional SIGNS – Unless otherwise specified herein, a directional SIGN may be ERECTED on a LOT wherever appropriate and functional to serve its specific purpose and where it is not in violation of Section 7.3. A directional SIGN may be a SIGN necessary for the safety and direction of vehicular and pedestrian traffic; a SIGN identifying handicapped parking and access; a SIGN giving direction to a public service facility or accommodation; an official inspection station SIGN; a SIGN displaying a STREET name or number or a house, block, unit or BUILDING number; a SIGN required for occupational safety and health reasons; a SIGN posted to prohibit trespassing, hunting, or certain other activities on private property; or any other SIGN providing essential direction or guidance. Except as may otherwise be required by local, state or federal regulations, the DISPLAY AREA of a directional SIGN shall not exceed two square feet and no directional SIGN shall be ERECTED more than six feet above the ground level if mounted on a wall of a STRUCTURE or more than four feet above the ground if freestanding. Directional SIGNS shall not be illuminated, nor advertise, identify or promote any business, business service, product, commodity, entertainment or similar object or activity.

7.5.4 Directory SIGNS – One directory SIGN listing the name and location of the occupants of a BUILDING may be ERECTED on the exterior wall of a BUILDING at each entrance or at one other appropriate location on the wall of a BUILDING, provided that: (1) in the Business, Industrial and Office Districts the DISPLAY AREA shall not exceed one square foot for each occupant identified on the directory SIGN, nor more than a total of 12 square feet; and (2) in any other Zoning District the DISPLAY AREA shall not exceed one half square foot for each occupant identified on the directory SIGN, nor more than a total of 6 square feet. Such SIGNS shall not be illuminated.

7.5.5 Fuel Pump SIGNS – Fuel pump SIGNS located on service station fuel pumps identifying the name or type of fuel and price thereof.

7.5.6 Governmental SIGNS – SIGNS, including MOVABLE SIGNS, ERECTED and maintained by the Town of Acton, the Water Supply District of Acton, the Commonwealth of Massachusetts, or the Federal Government on any land, BUILDING or STRUCTURE in use by such governmental entity. Any other signs erected by such governmental entity at any location required for public or environmental health, safety or notification purposes, or announcing the date, time and place of elections or town meeting.

7.5.7 Identification SIGNS – For single and two FAMILY residential USES in any Zoning District, one SIGN on a LOT identifying the occupants of the dwelling, an authorized home occupation and/or any other USE which is conducted on the LOT and is permitted in a Residential District. In a Residential District, one SIGN on a LOT identifying a non-conforming USE. All such SIGNS shall not exceed two square feet of DISPLAY AREA and shall not be illuminated, except when coincidental to the illumination of a BUILDING, driveway or similar feature.

7.5.8 Landmark SIGNS – Any SIGN determined by the Board of Selectmen to be of particular artistic or historic merit that is unique or extraordinarily significant to the Town and its residents. Such a SIGN may be new or old, it may or may not comply with this Bylaw, it may be a picture, mural, statue, sculpture or other form of artistic expression, it may warrant preservation in its original form or may be in need of restoration, or it may be a marker to identify or commemorate a particular significant location, a historic event or person, or a natural feature.

7.5.9 Menu SIGNS – One menu SIGN per restaurant, affixed to the exterior wall of a restaurant with a maximum DISPLAY AREA of 2 square feet.

7.5.10 Multifamily Dwelling SIGNS – A SIGN identifying the name of a multifamily residential dwelling, not exceeding 6 square feet in DISPLAY AREA. If freestanding its height shall not exceed 4 feet above ground level and if mounted to the exterior wall of a BUILDING no portion thereof shall be higher than 6 feet from the ground.

7.5.11 Residential Development SIGNS – A SIGN identifying the name of a residential development, not exceeding 6 square feet in DISPLAY AREA. If freestanding, its height shall not exceed 4 feet above ground level, and if mounted to the exterior wall of a BUILDING, no portion thereof shall be higher than 6 feet from the ground. Any such SIGN in existence prior to January 1, 1995, which does not meet these standards, shall nevertheless be deemed to comply herewith.

7.5.12 Political SIGNS – In addition to WINDOW SIGNS, SIGNS may be ERECTED on a LOT displaying political messages. Such SIGNS shall be stationary and shall not be illuminated. The height of such SIGNS shall not exceed 4 feet and the DISPLAY AREA of each sign shall not exceed 6 square feet. SIGNS associated with a political event such as elections, primaries, balloting, or voter registration shall be removed within 5 days after the event.

7.5.13 Religious SIGNS – SIGNS identifying a religious USE and ERECTED on the same LOT as the religious USE. Such SIGNS shall not be illuminated and shall be limited to one WALL SIGN with a maximum DISPLAY AREA of 12 square feet, and one FREESTANDING SIGN with a maximum DISPLAY AREA of 8 square feet and a maximum height of 5 feet.

7.5.14 Sale, Rent or Lease SIGNS – A For Sale, Rent or Lease SIGN shall not require a SIGN permit provided that its DISPLAY AREA does not exceed 20 square feet for property located in a Business, Office or Industrial Zoning District and 8 square feet for property located in any other district. In a Residential District, one For Sale, Rent or Lease SIGN shall be allowed per LOT, and one such SIGN shall be permitted for each business or establishment in any other Zoning District. Such a SIGN shall not be illuminated. Such SIGN may be a MOVABLE SIGN and it shall be removed immediately following the closing of a sale, lease or rental agreement.

7.5.15 Traffic SIGNS – Standard traffic SIGNS and control devices.

7.5.16 WINDOW SIGNS – WINDOW SIGNS, other than a NEON or LED SIGN, in the Business, Village, Industrial and Office Districts shall not require a SIGN Permit provided that their aggregate DISPLAY AREA covers no more than 25 percent of the window in which they are ERECTED. Such SIGN shall not be illuminated. WINDOW SIGNS promoting a public service or charitable event shall not be calculated in the allowable 25 percent.

7.5.17 NEON or LED WINDOW SIGNS – NEON or LED WINDOW SIGNS in the Business, Village, Industrial, and Office Park Districts shall not require a SIGN Permit provided that the DISPLAY AREA shall not exceed ten square feet or cover more than 25% of the window in which they are ERECTED, whichever is less. There shall be not more than one such SIGN allowed per PRINCIPAL USE. In the Village Districts, a NEON or LED WINDOW SIGN may only be placed in a ground floor window. As with any other SIGN, a NEON or LED WINDOW SIGN shall not be illuminated longer than 30 minutes before opening of after closing of the store or business.

7.5.18 Yard sale or garage sale SIGNS – One SIGN, which may be a MOVABLE SIGN, on the LOT where the sale occurs, displaying only the words "Yard Sale" or "Garage Sale" together with the date of the event. Such SIGN shall not exceed 6 square feet in DISPLAY AREA and shall not be illuminated. Such SIGN shall not be ERECTED sooner than 3 days before the sale and it shall be removed not later than 1 day after the sale. In no case shall such a SIGN be ERECTED on a LOT for more than 5 days per calendar year.

7.5.19 "OPEN" SIGNS - One SIGN, other than a WINDOW SIGN, associated with a PRINCIPAL USE indicating that the establishment is open for business. Such a SIGN shall be either affixed to the BUILDING as near as practically possible to the entrance of the establishment or to a FREESTANDING SIGN otherwise permitted under this Bylaw. Such a SIGN shall not exceed 6 square feet in DISPLAY AREA. The DISPLAY AREA of such an "OPEN" SIGN shall not count towards the DISPLAY AREA of any other SIGN on the premises. Notwithstanding Section 7.3.6, an "OPEN" SIGN may be a flag or a banner.

**7.6 SIGN Permits** – Any SIGN permitted under the following Sections 7.7 through 7.13 shall require a SIGN Permit from the Zoning Enforcement Officer and no such SIGN shall be ERECTED except in conformity with such a SIGN Permit and in the exact location and manner described in the SIGN Permit.

7.6.1 Application – All applications for SIGNS requiring a SIGN Permit shall be made to the Zoning Enforcement Officer in such form as he may require, and such applications shall include at least: 1) the location, by STREET number, of the proposed SIGN; 2) the name and address of the SIGN owner and the owner of the LOT where the SIGN is to be ERECTED, if other than the SIGN owner; 3) a scale drawing showing the proposed construction, method of installation or support, colors, display, dimensions, location of the SIGN on the site, and method of illumination; 4) such other pertinent information as the Zoning Enforcement Officer may require to ensure compliance with the Bylaw and any other applicable law; and 5) the application must be signed by the owner of the SIGN and the owner of the LOT where the SIGN is to be ERECTED; the Lot owner's signature shall not be required for TEMPORARY and SPECIAL EVENT SIGNS. The Zoning Enforcement Officer shall have the authority to reject any SIGN Permit application which is not complete when submitted.

7.6.2 Time Limitations – The Zoning Enforcement Officer shall approve or disapprove any application for a SIGN Permit within 45 days of receipt of the application. If the Zoning Enforcement Officer should fail to approve or disapprove an application for a SIGN Permit within such 45 day period, the application shall be deemed to be approved.

7.6.3 Fees – The Board of Selectmen shall establish and from time to time review a SIGN Permit fee which shall be published as part of a SIGN Permit application form.

**7.7 EXTERIOR SIGNS** – Any PRINCIPAL USE permitted in a Business, Industrial, Office or Village District may ERECT an EXTERIOR SIGN subject to the following:

7.7.1 Except as may otherwise be provided, one EXTERIOR SIGN shall be permitted for each PRINCIPAL USE. Such EXTERIOR SIGN may be a WALL SIGN, a PROJECTING SIGN or an AWNING SIGN.

7.7.2 Except as specifically provided for certain WALL SIGNS, an EXTERIOR SIGN may only be ERECTED on the exterior wall of the ground floor and up to 1 foot below the level of the bottom sills of the windows of the story above the ground floor of a BUILDING.

7.7.3 An EXTERIOR SIGN shall not be ERECTED within 6 inches of any horizontal edge of a BUILDING or STRUCTURE nor extend beyond such horizontal edge. Except for AWNING SIGNS, an EXTERIOR SIGN shall not obscure or cover architectural features such as but not limited to arches, sills, eaves moldings, cornices, transoms, lintels and windows, and shall not be ERECTED within 6 inches from any such architectural features.

7.7.4 WALL SIGNS – A WALL SIGN may be ERECTED on a BUILDING, or on an arcade STRUCTURE attached to the ground floor of a BUILDING, or on a permanent canopy STRUCTURE associated with a motor vehicle service station or a bank drive-up window.

7.7.4.1 The maximum DISPLAY AREA of a WALL SIGN affixed to the exterior wall of a BUILDING in conformance with Section 7.7.2, or to an arcade, canopy, parapet, or gambrel or mansard roof, shall not exceed 1 square foot for each lineal foot of wall<sup>(\*)</sup>.  
{(\*) The wall front or store front occupied by a business, or the width of the canopy side to which the SIGN is attached.}

7.7.4.2 The height of a WALL SIGN shall not exceed 4.5 feet in the Business, Industrial, and Office Districts, 3 feet in the EAV and EAV-2 Districts, and 2 feet in all other Village Districts.

7.7.4.3 The maximum width of a WALL SIGN affixed to the exterior wall of a BUILDING in conformance with Section 7.7.2, or to an arcade, canopy, parapet, or gambrel or mansard roof, shall not exceed 1 foot for each 2 lineal feet of wall<sup>(\*)</sup> up to 30 feet in the Business, Industrial and Office Districts, and 1 foot for each 3 lineal feet of wall<sup>(\*)</sup> up to 20 feet in the Village Districts. {(\*) The wall front or store front occupied by a business, or the width of the canopy side to which the SIGN is attached.}

7.7.4.4 A business occupying a floor other than the first floor of a BUILDING may ERECT a WALL SIGN at a BUILDING elevation higher than the one permitted in Section 7.7.2, provided that the maximum width shall not exceed 8 feet in the Business, Industrial and Office Districts, and 6 feet in the Village Districts.

7.7.4.5 A WALL SIGN may be affixed to a parapet or to a gambrel or mansard roof of a single story BUILDING. In addition to any other applicable requirements, such a WALL SIGN shall maintain a minimum distance of 1 foot from the top of the parapet or from the top of the lower slope of the gambrel or mansard roof.

7.7.4.6 A WALL SIGN shall not project more than 1 foot from the surface to which it is attached.

7.7.4.7 A WALL SIGN shall not be ERECTED within 2 feet from the vertical edge of the BUILDING, arcade or canopy surface to which it is attached nor extend beyond such vertical edge.

7.7.4.8 A WALL SIGN shall be affixed to a more or less flat exterior surface in a location where the symmetry of the BUILDING, arcade or canopy and their features will be maintained.

7.7.5 PROJECTING SIGNS – A PROJECTING SIGN may be ERECTED on a BUILDING provided that the DISPLAY AREA shall not exceed 12 square feet in the Business, Industrial and Office Districts, and 6 square feet in the Village Districts. The thickness between the SIGN faces shall not exceed 1 foot. A PROJECTING SIGN shall not project more than 3 feet from the face of the wall and shall maintain a minimum clearance of 8 feet above a walkway or sidewalk.

7.7.6 AWNING SIGNS – An AWNING SIGN may be ERECTED on a BUILDING. Such AWNING SIGN may consist of letters or symbols affixed to an awning in a parallel, perpendicular and/or convex position to the wall onto which the awning is mounted, except that in the Village Districts the convex position of letters to the wall shall not be permitted. Letters and symbols on an AWNING SIGN shall be flush with the surface of the awning. The maximum DISPLAY AREA of an AWNING SIGN shall be 12 square feet for surfaces positioned parallel or convex to the BUILDING wall, and 6 square feet for surfaces positioned perpendicular to the BUILDING wall. Except in the EAV District, if the AWNING SIGN is ERECTED on an awning manufactured with canvas on a frame that is retractable to the wall, one additional EXTERIOR SIGN, which may be a WALL SIGN or a PROJECTING SIGN, shall be permitted on the BUILDING for the same PRINCIPAL USE. An AWNING SIGN shall not project more than 3 feet from the wall and shall maintain a minimum clearance of 8 feet above a walkway or sidewalk. Where an AWNING SIGN is ERECTED on the wall of a BUILDING, all other awnings without a SIGN located on the same BUILDING shall be subject to the same dimensional requirements as the AWNING SIGN.

7.7.7 Secondary EXTERIOR SIGNS – If a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary WALL SIGN, PROJECTING SIGN or AWNING SIGN affixed to such wall at such entrance; and if the business has a wall other than the front wall without a direct entrance to the business that faces upon a STREET or parking area, there may be a secondary WALL SIGN affixed to such wall; provided, however, that no business shall have more than two secondary EXTERIOR SIGNS in any event. In the EAV District, an additional secondary EXTERIOR SIGN shall be permitted on the front wall of the PRINCIPAL USE, provided that it is of a different type (WALL SIGN, PROJECTING SIGN, or AWNING SIGN) than any other SIGN on the front wall. The DISPLAY AREA of any secondary EXTERIOR SIGN shall not exceed 6 square feet.

7.7.8 One EXTERIOR SIGN shall be permitted for a BUSINESS CENTER in addition to any other permitted EXTERIOR SIGNS. Such EXTERIOR SIGN shall conform to the dimensional requirements for EXTERIOR SIGNS and identify only the BUSINESS CENTER. If such EXTERIOR SIGN is ERECTED in a Village Districts, no FREESTANDING SIGN shall be permitted on the same LOT, nor within the same BUSINESS CENTER.

7.8 **FREESTANDING SIGNS** – Any PRINCIPAL USE permitted in a Business, Industrial, Office or Village District may ERECT a FREESTANDING SIGN identifying a business or a BUSINESS CENTER, subject to the following:

7.8.1 One FREESTANDING SIGN shall be permitted on a LOT identifying a business located on the same LOT.

7.8.2 No FREESTANDING SIGN shall be ERECTED within 5 feet of the sideline of a STREET or any right of way customarily used by the general public, or within such greater distance that is equal to the height of the FREESTANDING SIGN, and no portion of a FREESTANDING SIGN shall be located within the airspace above any such minimum required distance.

7.8.3 A FREESTANDING SIGN shall be integrated into the landscape design of the LOT or parcel. It shall be centered within a landscaped area located on the LOT or parcel with a minimum area in square feet to be equal to the overall height of the SIGN multiplied by two, by the power of two. (Example - SIGN height = 6 feet: 6 ft. x 2 = 12 ft.; 12 ft. x 12 ft. = 144 sq. ft. = minimum landscaped area). Such landscaped area shall be planted and maintained with suitable vegetation including shrubs and flowering perennials surrounding the base of the FREESTANDING SIGN. The landscaped area required under this section may be provided as part of a landscaped area required under any other section of this Bylaw.

7.8.4 If a FREESTANDING SIGN is a MONUMENT SIGN where the exterior surface of the support structure consists of masonry material which remains in its natural color other than plain gray concrete, the area below the lowest portion of any letter, symbol or illustration consisting of such masonry surface shall not be counted as DISPLAY AREA.

7.8.5 The following standards shall apply to FREESTANDING SIGNS in the Business, Industrial and Office Districts:

7.8.5.1 Where a FREESTANDING SIGN identifies a business, such FREESTANDING SIGN shall be permitted in addition to any EXTERIOR SIGN permitted on the same LOT. The DISPLAY AREA of the FREESTANDING SIGN shall not exceed 12 square feet and the height shall not exceed 7 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 16 square feet, provided however that the height of a MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station the maximum permitted DISPLAY AREA may be increased to 24 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.5.2 One FREESTANDING SIGN shall be permitted for a BUSINESS CENTER, provided that no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.

7.8.5.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS of the BUSINESS CENTER have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.

7.8.5.4 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed a maximum DISPLAY AREA of 50 square feet, and its height shall not exceed 12.5 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to a maximum DISPLAY AREA of 62.5 square feet. The height of such a MONUMENT SIGN shall not exceed 10 feet.

7.8.6 The following standards shall apply to FREESTANDING SIGNS in all Village Districts:

7.8.6.1 The DISPLAY AREA of a FREESTANDING SIGN identifying an individual business shall not exceed 8 square feet and the height shall not exceed 5 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet, provided however that the height shall not exceed 4 feet, or 5 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station, the maximum permitted DISPLAY AREA may be increased to 16 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.6.2 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards.

7.8.7 The following standards shall apply to FREESTANDING SIGNS in the NAV, SAV, and WAV Districts:

7.8.7.1 One FREESTANDING SIGN may be ERECTED on a LOT provided that no BUILDING on the LOT is located within 30 feet of the sideline of the STREET nearest which the FREESTANDING SIGN is ERECTED.

7.8.7.2 Where a FREESTANDING SIGN identifies a business no EXTERIOR SIGN shall be ERECTED on the same LOT.

7.8.7.3 The DISPLAY AREA of a FREESTANDING SIGN for a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 12 square feet, and its height shall not exceed 6 feet. If such a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 20 square feet. The height of such MONUMENT SIGN shall not exceed 4 feet.

7.8.8 The following standards shall apply to FREESTANDING SIGNS in the EAV and EAV-2 Districts:

7.8.8.1 Where a FREESTANDING SIGN identifies a business, one EXTERIOR SIGN shall be permitted.

7.8.8.2 One BUSINESS CENTER sign shall be permitted for a BUSINESS CENTER, provided no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.

7.8.8.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.

7.8.8.4 The DISPLAY AREA of a FREESTANDING SIGN identifying a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 27 square feet, and its height shall not exceed 9 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 40 square feet. The height of such MONUMENT SIGN shall not exceed 8 feet.

7.8.9 One FREESTANDING SIGN may be ERECTED on a LOT or parcel located in the Business, Industrial or Office District identifying an OFFICE PARK or INDUSTRIAL PARK which may be located on more than one LOT, subject to the following:

7.8.9.1 Only one such SIGN shall be permitted for each OFFICE PARK or INDUSTRIAL PARK.

7.8.9.2 Such FREESTANDING SIGN shall only identify the OFFICE PARK or INDUSTRIAL PARK and shall be subject to the provisions applicable to FREESTANDING SIGNS identifying a BUSINESS CENTER as they apply to the particular location in which the SIGN is ERECTED. However, any DISPLAY AREA specifically provided to accommodate the listing of individual business shall not be included in calculating the maximum DISPLAY AREA hereunder and no display of individual establishments within an OFFICE PARK or INDUSTRIAL PARK shall be permitted on a FREESTANDING SIGN hereunder.

7.8.9.3 Such FREESTANDING SIGN may be permitted in addition to any permitted EXTERIOR SIGNS on the same LOT but no other FREESTANDING SIGN shall be permitted on the same LOT or parcel.

7.8.9.4 Such SIGN shall be ERECTED on a LOT or parcel which is clearly a part of the BUSINESS CENTER, OFFICE PARK or INDUSTRIAL PARK which it identifies.

**7.9 Off-premises Directional SIGNS** – One off-premises directional SIGN shall be permitted on a LOT assisting motorists in finding businesses, other than home occupations, not located on the same LOT, provided that such SIGN identifies only the name(s) of such businesses which are located on a LOT that does not have FRONTAGE on any of the major numbered through STREETS: Routes 2, 2A, 27, 111, and 62. Such SIGN shall not display any advertisement nor be illuminated. The maximum DISPLAY AREA shall not exceed 1 square foot per business identified on the SIGN, up to 4 square feet of combined DISPLAY AREA for multiple identifications on such SIGN. The height of such SIGN shall not exceed 5 feet above the ground. There shall be no more than two locations at which any particular business may be identified hereunder. No SIGN permitted hereunder shall be ERECTED within a STREET or within any right of way customarily used by the general public, and no such SIGN shall be ERECTED within the R-2, R-4, R-8/4, R-8, R-10/8 or R-10 Districts.

## **7.10 TEMPORARY and SPECIAL EVENT SIGNS**

7.10.1 One SPECIAL EVENT SIGN may be ERECTED 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 be ERECTED on the same LOT where the event is to occur. It may identify the event and the date of the event, and it may display the event's sponsor, organizer and main feature. Such a SIGN shall be removed not later than 1 day after completion of the event. The display time of SPECIAL EVENT SIGNS, taken together, shall be limited to 45 days per PRINCIPAL USE for each calendar year.

7.10.2 In addition to SPECIAL EVENT SIGNS, any PRINCIPAL USE permitted in a Business, Industrial, Office or Village District that does not have a permanent FREESTANDING or EXTERIOR SIGN may ERECT one TEMPORARY SIGN on the same LOT where the PRINCIPAL USE is located for the duration between the application filing date for a permanent SIGN permit or special permit pursuant to section 7.6 and 7.13 and, if approved, up to 45 days after the issuance of a SIGN permit pursuant to section 7.6.

7.10.3 Only one TEMPORARY or SPECIAL EVENT SIGN shall be ERECTED per PRINCIPAL USE at any given time.

7.10.4 TEMPORARY and SPECIAL EVENT SIGNS shall not exceed 10 square feet in DISPLAY AREA.

7.10.5 TEMPORARY and SPECIAL EVENT SIGNS shall neither be ERECTED on a sidewalk, walkway or driveway, nor within 5 feet from the sideline of a STREET or right of way customarily used by the general public.

7.10.6 TEMPORARY and SPECIAL EVENT SIGNS shall comply with the provisions of Sections 7.3 and 7.4, except as set forth in this section, and they shall not be illuminated.

7.10.7 Notwithstanding subsections 7.3.4, 7.3.6, and 7.4.1, TEMPORARY and SPECIAL EVENT SIGNS may be MOVABLE SIGNS, and in Village Districts may be made with materials not otherwise allowed; and SPECIAL EVENT SIGNS may consist of a flag or balloon, or may be decorated with ribbons, flags, streamers or balloons that remain reasonably within the confines of the SIGNS.

7.10.8 No TEMPORARY or SPECIAL EVENT SIGN shall be ERECTED without a SIGN permit issued by the office of the Zoning Enforcement Officer pursuant to section 7.6, which may be a blanket SIGN permit that covers all TEMPORARY and SPECIAL EVENT SIGNS for a PRINCIPAL USE for up to one calendar year. The SIGN permit shall state the specific dates and time periods during which the TEMPORARY and SPECIAL EVENT SIGNS may be ERECTED and the specific location or locations on a LOT.

7.11 **SIGNS for Golf Courses and Cross-Country Skiing in Residential Districts** – One FREESTANDING SIGN may be ERECTED for a Golf Course or a Cross-Country Skiing course that is located in a residential district. The FREESTANDING SIGN shall have a maximum height of 5 feet and the DISPLAY AREA shall not exceed 8 square feet. In addition, said USES may erect one WALL SIGN on the main building with a maximum DISPLAY AREA of 20 square feet.

7.12 **Non-Conforming SIGNS** – Any non-conforming SIGN lawfully ERECTED may continue, subject to the following:

7.12.1 Non-conforming SIGNS accessory to a USE or USES shall be removed or replaced concurrently with any expansion of such USE or USES. Such non-conforming SIGNS shall be replaced with a conforming SIGN or SIGNS prior to the issuance of an occupancy permit for any BUILDING into which the USE or USES are to be expanded.

7.12.2 Nothing herein shall be deemed to prevent orderly, regular, and timely maintenance, repair, and repainting with the same original colors of a non-conforming SIGN, or the re-lettering, re-facing, or changing of message of a non-conforming sign.

7.13 **SIGNS Requiring a Special Permit from the Planning Board**

7.13.1 The Planning Board, acting as the Special Permit Granting Authority under this Section, may approve, approve with conditions, or disapprove the following SIGNS and the following deviations from the requirements of Sections 7.4, 7.7 and 7.8:

7.13.1.1 A greater number of SIGNS than allowed under Sections 7.7 and 7.8, but not more than one SIGN in addition to the number of SIGNS otherwise permitted per LOT or per PRINCIPAL USE, as the Planning Board finds appropriate to further the purpose of this Section as stated in Section 7.1.

7.13.1.2 EXTERIOR SIGNS with dimensions in excess of those permitted under Section 7.7 subject to the following limitations:

- a) no SIGN wider than one and one half times the maximum width otherwise permitted, and
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and
- c) any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.

7.13.1.3 A SIGN in a location or in a position not otherwise permitted, but not a ROOF SIGN, a BILLBOARD, or a SIGN located within the minimum required distance from the sideline of a STREET or right of way customarily used by the general public.

7.13.1.4 SIGNS made of materials not otherwise permitted.

7.13.1.5 A SIGN attached to a stone wall, retaining wall, fence or other landscaping feature on a LOT, provided that such SIGN and feature are, in the opinion of the Planning Board, an integral component of the landscape design and BUILDING architecture on the LOT.

7.13.1.6 Except in the Village Districts, a NEON or LED SIGN to be ERECTED on a LOT in place of a SIGN otherwise permitted, provided it features an individualized, custom made design showing only a drawing, logo, symbol or illustration, but not letters. A NEON or LED SIGN hereunder shall comply with all applicable dimensional standards. A NEON SIGN shall be composed of primarily single strand glass tubing with a maximum 1 inch diameter.

7.13.1.7 One SIGN for a nonconforming, pre-existing business, industrial or office USE other than a home occupation, ERECTED in a Residential District, conforming to the applicable requirements for a SIGN in a Village District, not illuminated and not exceeding six square feet in DISPLAY AREA.

7.13.1.8 A FREESTANDING SIGN with less than the required landscaped area, provided that, in the opinion of the Planning Board, sufficient landscape treatment is provided to compensate for the reduction in area.

7.13.1.9 A type or method of SIGN illumination not otherwise permitted provided that it meets the general objectives of Section 7.4.3.

7.13.2 A Special Permit under this section shall only be issued if the Planning Board, in addition to the required findings of Section 10.3.5, finds that, in its opinion, the resulting SIGN or the resulting deviation from the otherwise applicable requirements of this Section 7 meet the following criteria:

- 7.13.2.1 The SIGN will be consistent with the intent and purpose of Section 7.
- 7.13.2.2 The SIGN will be consistent with the character and use of the area and with the Zoning District in which it is ERECTED.
- 7.13.2.3 The SIGN will have appropriate scale and proportion in its design and in its visual relationship to BUILDINGS in the area and to its general surroundings. It has been attractively designed and located, and will be a compatible architectural element of the BUILDING to which it principally relates and will be in harmony with other features in the general area.
- 7.13.2.4 The proposed SIGN will provide continuity with other SIGNS, not including any non-conforming SIGNS, on the same or adjacent BUILDINGS or LOTS with respect to most

but not necessarily all of the following criteria: dimension, proportion, mounting height, materials, colors, and other important features as determined by the Planning Board.

- 7.13.2.5 The colors, materials and illumination of the proposed SIGN are restrained and harmonious with the BUILDING and the site to which it principally relates.
- 7.13.2.6 The material used for the SIGN is appropriate and does not detract from the aesthetic qualities of its surroundings.
- 7.13.2.7 The number of graphic elements on the proposed SIGN is held to the minimum needed to convey the SIGN'S primary message and is in good proportion to the area of the SIGN face.
- 7.13.2.8 The proposed SIGN will not unduly compete for attention with any other SIGN or SIGNS.
- 7.13.2.9 In the case of a SIGN under Sections 7.13.1.1 through 7.13.1.3, the proposed SIGN is necessary for adequate identification of a business which for site specific reasons would not reasonably be possible under the otherwise applicable standards and available options of this Bylaw.
- 7.13.3 When granting a special permit hereunder, the Planning Board, in order to mitigate negative impacts of a SIGN and to help support any of its required findings under Section 7.13.2, may impose reasonable conditions taking into consideration all aspects of the SIGN and its impacts on the visual environment in the area, including but not limited to design, construction, color, illumination, landscaping, and coordination with BUILDINGS and other SIGNS in the area, it may require the removal of any non-conforming SIGN or SIGNS on the LOT or in the same BUSINESS CENTER, and it may impose such other conditions as it deems appropriate to further the purpose of this Section as stated in Section 7.1.
- 7.13.4 The Planning Board shall promulgate Rules and Regulations governing the business of the Planning Board under this Section, including but not limited to the contents of an application and application fees, and it may adopt and from time to time amend design guidelines for SIGNS as it finds appropriate.
- 7.13.5 Where a SIGN is located in a Local Historic District, the Planning Board shall have no authority to require or grant a Special Permit under this Section 7.13. Instead, the Historic District Commission shall have the power and discretion to issue a Certificate of Appropriateness for such SIGN under the Acton Historic District Bylaw, Chapter P of the Town Bylaws. However, any SIGN approved hereunder shall also comply with the requirements of this Bylaw, including the requirements of Section 7.13.1.