

Sign Bylaw

To see if the Town will vote to amend the Zoning Bylaw by deleting Article XXVII, Signs, in its entirety, and inserting a new Article XXVII, Signs, as follows:

ARTICLE XXVII Signs

§ 210-176. Purpose.

The sign regulations contained herein are intended to: 1) facilitate efficient communication; 2) avoid conflict between signs and the visual qualities of the environs; 3) support economic vitality and opportunity; and 4) encourage compatibility and harmony with surrounding buildings, land and land uses.

It is the intent of these regulations to balance the need for communication, economic vitality and free speech with the desire for an attractive community with signage that is complimentary in scale and vernacular to its context. The Town encourages sign permittees, property owners, businesses, and Town boards that review and approve signage to be mindful of this balance. A general harmony in design between signage on the same lot and on the same building is encouraged.

§ 210-177. Definitions.

For the purpose of this Article, terms shall have the following meanings:

BANNER – A temporary sign which is applied to cloth, paper, flexible plastic or fabric of any kind, and which is hung from the ends and/or the top.

BUSINESS ESTABLISHMENT – A place of business; a lawfully existing non-residential use.

GOVERNMENT SIGN – A sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

HEIGHT – The vertical distance measured from the finished grade at the sign to the highest point of the sign or its supporting structure, whichever is higher.

SANDWICH BOARD SIGN – A portable A-frame sign constructed of durable materials with two identical flat faces and designed to be displayed on the ground.

SIGN – Any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, persons, products, businesses or activities, or that conveys or is intended to convey any message whatever the nature of the material and manner of composition or construction. Historical date plaques and markers, athletic scoreboards, pavement markings, memorials and monuments,

decorations, traffic control devices, trailhead markers and kiosks, flags and insignias of governmental jurisdictions shall not be considered signs.

SIGN AREA – The area of a sign shall include all lettering, wording and accompanying symbols or designs. It shall also include the background on which they are displayed, whether open or enclosed, any frame around the sign and any “cutouts” or extensions. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, wall or building shall be considered to be that of the smallest rectangle comprised of horizontals and verticals which encompasses all letters and symbols. Only one side of a two-sided identical sign shall be counted in computing the area of a sign.

TEMPORARY SIGN – Any and every sign which by its design and/or use is temporary in nature, not permanently affixed, frequently composed of paper, plastic, fabric, posterboard and/or cardboard, and typically containing, for example, messages relative to sale, lease, rental or construction of property, garage or yard sales, special sales, occasional uses and events.

§ 210-178. General Regulations.

The following regulations shall apply in all zoning districts:

- A. No exterior sign shall be displayed except as provided in this Article or otherwise exempted by this or other law.
- B. No sign shall be displayed so as to create a hazard, obstruct the line of sight at an intersection or obstruct pedestrian travel on public sidewalks.
- C. Neon signs, including any and every sign which features exposed glass tubing filled with fluorescent gas, are prohibited. No messages or graphics on permanent signs shall be formed by lights of any kind.
- D. No sign shall be mounted, affixed or painted on roofs or extend above the roof eave line of a building.
- E. No sign shall flash, rotate, be animated, make noise, be motorized or move or be designed to move by any means, either in whole or in part.
- F. “Welcome to Hopkinton” signs and signs identifying historic villages or historic districts of Hopkinton may be displayed on the following major public ways, subject to approval by the Board of Selectmen: East Main St., Main St., Cedar St., West Main St., Wood St., South St. and Hayden Rowe St. Such signs shall not exceed 20 sq. ft. in area and shall not be illuminated.
- G. The provisions of this Article shall not apply to government signs.

- H. Signs may be externally illuminated by steady, stationary light shielded and directed solely at the sign; signs may be backlit and signs may consist of channel letters and characters. Internally illuminated signs are prohibited.
- I. Signs attached to a building shall be placed and aligned to define or enhance the building's architectural elements. Sign design shall be reasonably compatible with the mounting location, height, proportions and materials of other signs on the same lot.
- J. Unless specifically authorized by this Article, there shall be no signs displayed off the premises of the use that is the subject of the sign.
- K. No sign that is mounted to be flush with a building wall shall be more than 6 inches in depth.

§ 210-179. Temporary signs.

Temporary signs and banners are permitted in all zoning districts as follows:

- A. No more than 2 temporary signs may be displayed on a lot. Each such temporary standing sign shall not exceed 8 square feet in area. A temporary sign shall not be displayed for more than 30 days.
- B. One banner for each business establishment may be displayed on the premises of such use. Such banners shall not exceed 24 square feet in area, and shall not be displayed for more than 30 days.
- C. Temporary banners may be displayed over Main Street. Such banners may be allowed at the discretion of the Board of Selectmen and may be subject to limitations as it shall require. Such banners shall not be displayed for more than 14 days. The size of the banner shall not exceed 75 square feet. The Board of Selectmen may adopt policies and procedures relative to such banner display.
- D. For a period of time beginning 30 days before Patriot's Day and ending 2 days after Patriot's Day every year, there shall be no maximum number of temporary signs and banners permitted, and the maximum size of temporary signs shall be 24 square feet.
- E. For a period of time beginning 30 days before a municipal, state or federal election and ending 2 days after the date of the election, there shall be no maximum number of temporary signs permitted.

§ 210-180. Sign regulations by zoning district

- A. Signs are permitted by right in each zoning district as follows.

(1) Residence A, Residence B, Residence-Lake Front and Agricultural Districts:

- (a) Signs advertising the sale or rental of the premises on which they are located, not to exceed 6 square feet in area.
- (b) Temporary or permanent signs which relate to the premises on which they are located, including home occupations, not to exceed 6 square feet in area.

(2) Business, Downtown Business and Rural Business Districts

- (a) Wall signs and projecting signs shall be allowed on each side of a building facing a public way or parking lot. The area of such signs shall not exceed, in the aggregate, 1.0 square feet for each linear foot of that building wall which faces the public way or parking lot. If a building or business establishment has a street level public entrance which does not face a public way or parking lot, there may be one secondary wall sign in the vicinity of each such entrance, not to exceed 15 square feet each.
- (b) One standing sign per lot is allowed, not to exceed 32 sq. ft. in area. The height of standing signs shall not exceed 10 feet. Lots which have frontage on more than one public way may have two standing signs on the lot, one on each public way, not to exceed 32 square feet in area.
- (c) Each business establishment may display one sandwich board sign or other standing sign not permanently affixed to the ground on the premises when the business establishment is open to the public. The size of such signs shall not exceed 8 square feet.
- (d) Permanent signs shall conform to the side yard and rear yard requirements.
- (e) Accessory signs: Two accessory signs per lot may be displayed. No such accessory sign shall exceed 2 square feet in area.
- (f) In Rural Business Districts, illuminated signs shall be shielded from view of any residential district lot line adjoining the business to the maximum extent practicable.
- (g) Temporary signs may be displayed advertising the sale or rental of the premises on which they are located, not to exceed 6 square feet in area.

(3) Industrial A and Industrial B Districts

- (a) A non-illuminated real estate sign advertising the sale of the lot or rental of space on the lot on which it is located, and having an area of not more than 32 square feet, is permitted.
- (b) Signs shall conform to the side and rear yard requirements. Signs may be located no nearer than 15 feet to a street line.

- (c) There may be one standing sign at the entrance to each individual parcel of land. The standing sign shall not exceed 32 square feet in area or exceed 10 feet in height. There may be one wall sign for each business, each not to exceed 32 square feet in area.
 - (d) Additional non-illuminated signs which do not exceed 2 square feet in area and, if freestanding, do not exceed 4 feet in height are permitted on a lot.
- (4) Professional Office District; Campus Style Developments approved by the Planning Board pursuant to Article XIV:
- (a) There may be one standing sign at the main entrance to the development site for the purpose of identifying the development site or businesses located within the site. The sign area shall not exceed 32 square feet in area. The sign shall not exceed 10 feet in height and shall not be located closer than 15 feet to a street.
 - (b) There may be one standing sign at secondary entrances to the development site, not to exceed 15 square feet in area. The sign shall not exceed 10 feet in height and shall not be located closer than 15 feet to a street.
 - (c) There may be either one wall sign on each building or one standing sign identifying each building within the development site, not to exceed 25 square feet in area. The sign shall be located on or at the front of the building.
 - (d) There may be up to 3 additional signs within the development site, not to exceed 2 square feet each, and if freestanding, shall not exceed 4 feet in height.
- B. The following signs are allowed by special permit from the Board of Appeals. Prior to issuing a special permit, the Board of Appeals shall find that such signs conform to the community standards expressed in the Purpose of this Article, and the sign(s) are appropriate for the size of the property, the building(s) thereon, and the neighborhood setting.
- (1) Signs in connection with allowed uses, subject to such limitations as may be imposed by the Board of Appeals.

§ 210-181. Special Regulations

- A. Garden Apartments in Residential Districts, Village Housing in Residential Districts, Senior Housing Development, Open Space Mixed Use Development Overlay District: In developments approved by the Planning Board pursuant to Article XIII, Garden Apartments in Residential Districts, Article XIII A, Village Housing in Residential Districts, Article XVII A, Senior Housing Development and Article XXVI, Open Space Mixed Use Development Overlay District, all signs are solely subject to such limitations of size and usage as may be imposed by the Planning Board.

- B. Adult Uses: Signs shall be permitted subject to the provisions of the requirements of those applicable to the Business District and Article XVI, Adult Uses, of this Chapter, subject to the following condition: No sign may depict or represent any sexual conduct or state of sexual excitement as defined in MGL c. 272, § 31, nor shall any such representations or depictions be placed upon or within the windows or walls of the premises so as to be visible to the public from the exterior of the premises.

- C. Wireless Communications Facilities: For wireless communications facilities permitted pursuant to Article XVI of this Chapter, there shall be no signs, except for announcement, safety, no-trespassing signs and the signs required to give a telephone number where the owner can be reached on a twenty-four hour basis. All signs shall conform to the requirements of the zoning district in which the facility is located.

- D. Signs at a Registered Marijuana Dispensary (RMD) shall be subject to the requirements applicable in the Zoning District in which they are located, with the following additional restrictions:
 - (1) At a minimum, all signs at RMDs shall be in compliance with the provisions of 105 CMR 725.105 or any applicable successor regulation of the Massachusetts Department of Public Health, as such provisions may be amended from time to time;

 - (2) RMD window signs shall be limited to a maximum of 20% of the window area. No window sign shall be illuminated. Neon signs, including any sign that features exposed glass tubing filled with fluorescent gas, shall not be displayed in windows; nor shall such signs be visible through windows. No window signs or signs visible through windows shall flash, rotate, be animated, be motorized or move or be designed to move by any means, either in whole or in part.

§ 210-182. Nonconforming signs

Legal nonconforming signs shall be regulated as follows:

- A. Signs lawfully erected or displayed prior to the adoption of this Article may be maintained, reworded, redesigned, altered or repaired without requiring conformance with the provisions of this Article, as long as the sign is not rendered more nonconforming.

- B. The exemptions granted herein shall terminate with respect to any sign which: 1) shall have been abandoned for 6 months or more; or 2) advertises or calls attention to any products, businesses or activities which have not been carried on or sold for 6 months or more; or 3) shall not have been properly repaired or properly maintained within 60 days after notice to that effect has been given by the Director of Municipal Inspections.