

Article 9 Sign Regulations

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ARTICLE 9 SIGN REGULATIONS

SECTION 9.0 PURPOSE

SIGNS are a highly visible and necessary means of communicating information. SIGNS play an important role for businesses to advertise their goods and services. SIGNS may be one of the most visible and apparent aspects of a City's character. SIGNS may create an impression on residents and visitors and they provide an indication of the commercial health of business areas and the City as a whole. The purposes of this section are:

- To promote the safety and welfare of residents, businesses and visitors;
- To encourage the effective use of SIGNS as a means of communicating, information and advertising products and services;
- To promote economic health of the City and its businesses, organizations and institutions so they can successfully identify themselves;
- To enhance the safety of all traffic participants by preventing SIGN overload and clutter;
- To foster free and effective expression and advertising through creative design; and
- To maintain and enhance the built environment and the character of the City.

SECTION 9.1 DEFINITIONS

For the purposes of this Article, the following terms shall have the following meanings. The terms defined below are capitalized in the following parts of this Article in addition to the terms defined in Article 2.

AWNING SIGN. An AWNING SIGN is a SIGN which is located on or is part of an awning. As used in this Ordinance, an awning consists of cloth or non-translucent material affixed to the exterior of a BUILDING by a permanent STRUCTURE that may be retractable; extending at least three (3) feet from the exterior wall; and providing shade and rain cover for pedestrians and visitors to the BUILDING.

BILLBOARD SIGN. SEE NON-ACCESSORY SIGN.

BULLETIN BOARD SIGN. A GROUND or WALL SIGN of permanent character, but with movable letters, words or numerals, indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which such SIGN is maintained.

CANOPY SIGN. A SIGN that is affixed to the exterior surface of a BUILDING with rigid, non-retractable STRUCTURE covered by a membrane that extends less than three (3) feet from the BUILDING.

CHANGING IMAGE SIGN. A SIGN using digital, electronic or other methods to create an image that changes. A digital display of time, temperature, or fuel prices shall not be considered a CHANGING IMAGE SIGN. See 9.3.70.

CONSTRUCTION SIGN. A SIGN denoting the architect, builder, owner, or other business concern connected with a duly authorized building construction project located on the same lot with such building.

DIRECTIONAL SIGN. A SIGN directing or guiding vehicles or people to entrances, exits or parking.

DIRECTORY SIGN. A SIGN that lists the tenants within a non-residential building. Such SIGN may be either a GROUND SIGN or a WALL SIGN.

DISPLAY AREA. The area of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limit of any writing, emblem, representation, or other display used to differentiate the SIGN from the backdrop or STRUCTURE against which it is placed. The DISPLAY AREA shall not include supporting bracing or framework which is not an integral part of the SIGN design.

Where there is more than a single SIGN face, the DISPLAY AREA shall be defined as the one face of the SIGN. Figures 9-1 and 9-2 illustrate how to measure DISPLAY AREA. In the case of a GROUND SIGN, the entire STRUCTURE shall be considered an integral part of the background except for the pole supports. See also Section 9.8 for MONUMENT SIGN measurement information.

Figure 9-1 Display Area of Wall Sign

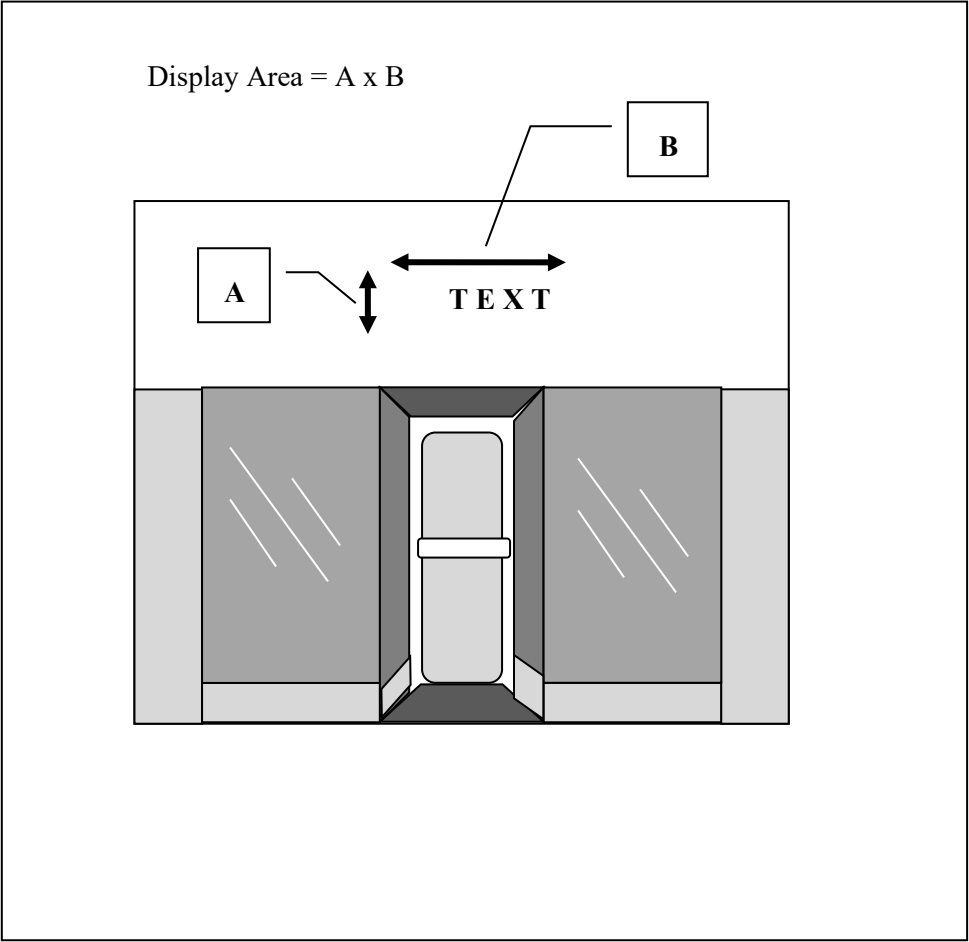


Figure 9-2 Display Area of Internally Lit Wall Sign

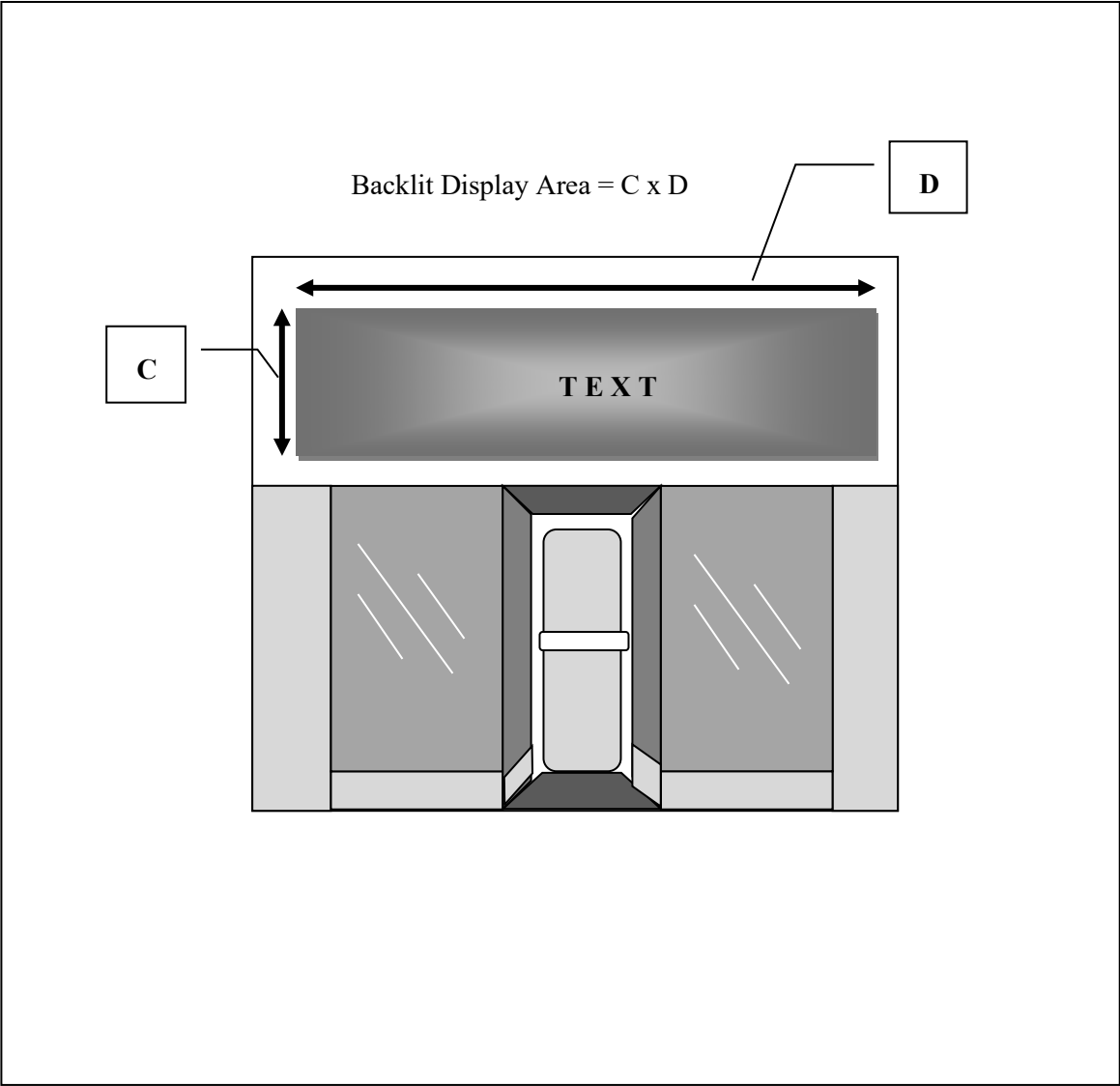
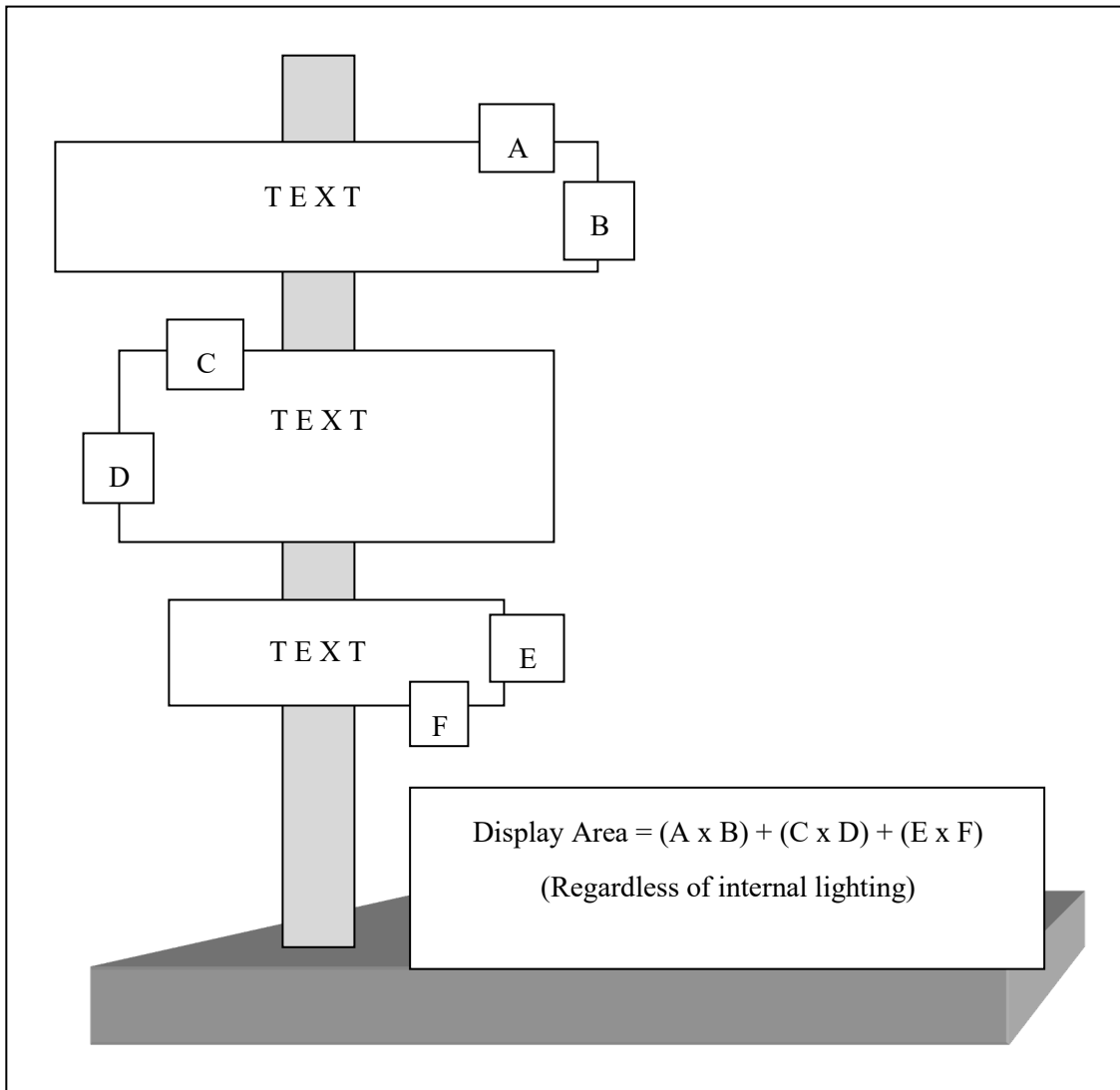


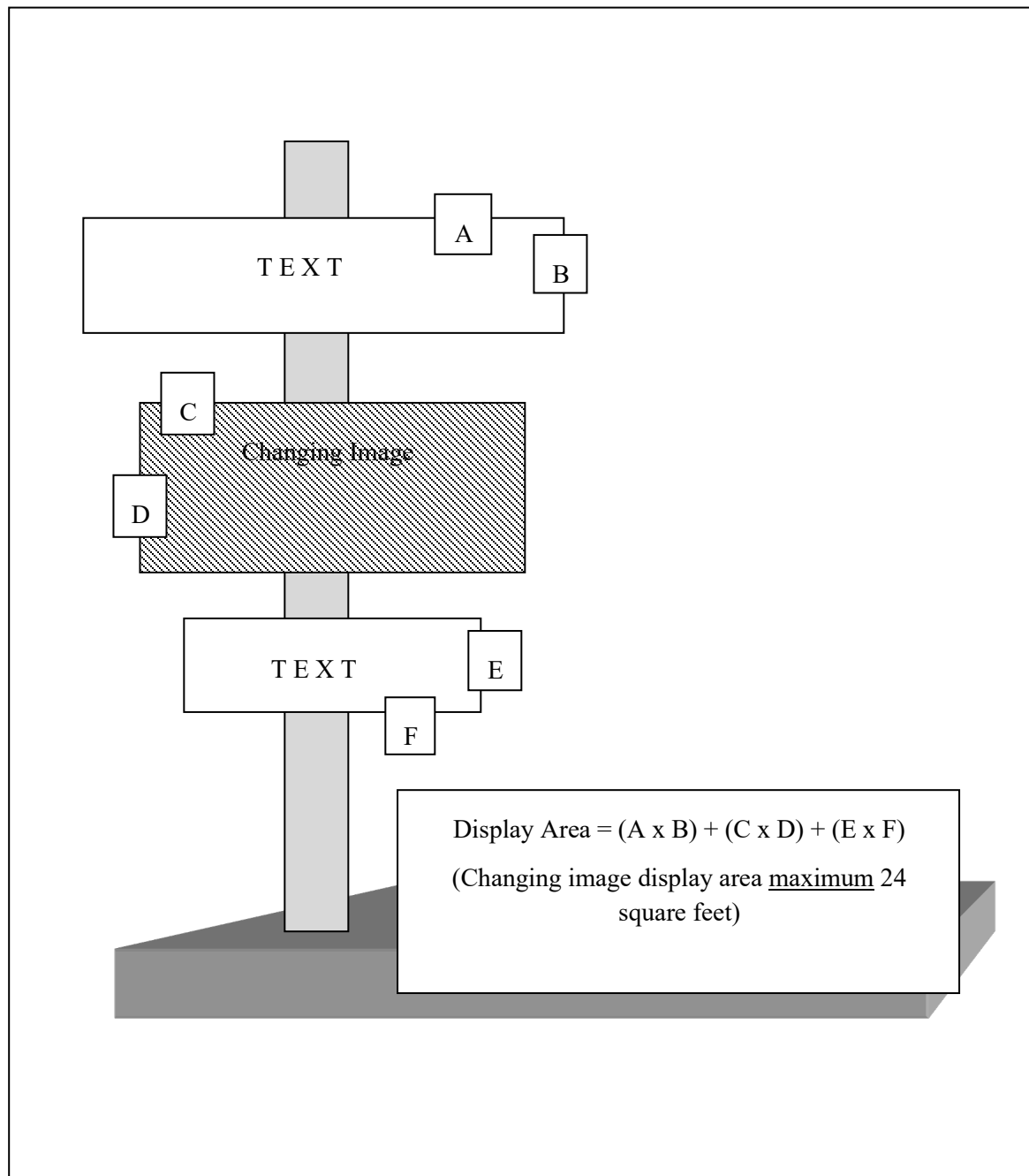
Figure 9-3 Display Area of Ground Sign



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.

GROUND SIGN. A non-portable SIGN not affixed to any BUILDING but constructed in a permanently fixed location on the ground with its own support STRUCTURE. GROUND SIGNS include POLE SIGNS and MONUMENT SIGNS. GROUND SIGNS can include menus for drive through establishments that are posted to indicate drive through services.

Figure 9-4 Display Area of Ground Sign with Changing Image Sign



IDENTIFICATION SIGN. A SIGN other than a BULLETIN BOARD SIGN indicating the name of a permitted use, the name or address of a BUILDING, or the name of the management thereof.

INDIVIDUAL LETTER SIGN. A WALL SIGN consisting of individual letters mounted to a BUILDING surface without any background or frame.

INFORMATIONAL SIGN. A SIGN erected to provide direction or guidance, including, but not limited to the following:

- Necessary for the safety and direction of vehicular and pedestrian traffic;
- To identify handicapped parking and access;
- To give direction to a public service facility or accommodation; an official inspection station
- To display a STREET name or number or a house, block, unit or BUILDING number;
- If required for occupational safety and health reasons;
- To prohibit trespassing, hunting, or specified activities on private property.

MENU SIGN for DRIVE THROUGH establishments. A GROUND SIGN that displays the items and prices for sale at a DRIVE THROUGH establishment. See Table 9-2.

MESSAGE BOARD. A SIGN or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the SIGN.

MONUMENT SIGN. A form of a GROUND SIGN which is attached to and in contact with the ground over the full width of its DISPLAY AREA.

NEON SIGN. A SIGN which features exposed glass tubing filled with fluorescent gas.

NON-ACCESSORY 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. These are also known as Billboard, off-site SIGNS or off-premise SIGNS.

POLE SIGN. A GROUND SIGN that is supported by one (1) or more columnar uprights. The term POLE SIGN is used in this Ordinance, but this SIGN type may be known as “pylon sign” or “freestanding sign”.

PORTABLE SIGN. Any SIGN not permanently attached to the ground, mounted on wheels 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.

PROFESSIONAL SIGN. A SIGN indicating the name and occupation of a professional person or group of associated professional persons.

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.

ROOF SIGN. A SIGN which is painted, mounted or in any way projected above the parapet or 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 located above the eaves or parapet of any lower portion or wing of a BUILDING.

SECONDARY WALL SIGN. A SIGN which is affixed to the Wall of a BUILDING other than the front wall that faces the public STREET. For CORNER LOTS, the STREET with the higher volume of traffic shall be the FRONTAGE.

SIGN. Any symbol, design or device used to identify or advertise any place, business, product, activity, service, person, idea or statement.

TEMPORARY SIGNS OR BANNERS. A SIGN which is not permanently affixed to a BUILDING or mounted in the ground. Such SIGNS may consist of banners, posters, pennants, streamers or stakes in the ground that contain a commercial or non-commercial advertising message. Signs that stay in place for more than sixty (60) days or replaced by similar SIGNS for periods exceeding sixty (60) days shall not be considered TEMPORARY SIGNS. Banners, flags, streamers or other decorations that do not convey commercial information shall not be considered to be TEMPORARY SIGNS.

TRAFFIC PARTICIPANT. A driver of a MOTOR VEHICLE, passenger, bicyclist, or pedestrian who travels on a public STREET.

WALL SIGN. A SIGN which 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.

WINDOW SIGN. A SIGN, picture, symbol or message visible for longer than sixty (60) continuous days from the window's exterior side, either hung or otherwise attached directly to the inside of a window, not including any part of a customary window display of merchandise or other product. SIGNS hung on the exterior of a window are WALL SIGNS. WINDOW SIGNS that are painted onto the window may continue for longer than sixty (60) continuous days in accordance with the standards in Section 9.4.

SECTION 9.2 SIGNS PROHIBITED IN ALL DISTRICTS

Any SIGN ERECTED in violation of this Ordinance is prohibited, except that SIGNS erected by the City shall be exempt from these prohibitions. These prohibitions shall not apply to any SIGN that expresses religious, political, or other opinions or are otherwise considered to be "speech" under the First Amendment of the United States Constitution. The following types of SIGNS are prohibited in all Districts.

Section 9.2.10 Signs on Certain Structures and Vegetation

SIGNS ERECTED on utility poles, traffic SIGNS, WIRELESS COMMUNICATION TOWERS, FENCES, trees, shrubs or other natural features except for SIGNS erected by the governmental entity or utility company which owns such structures.

Section 9.2.20 Non-accessory Signs

Except as permitted in Section 9.9 below.

Section 9.2.30 Signs Erected within or above a Street or Affixed to Public Property

9.2.31 Signs erected within or above a STREET right-of-way or affixed to public property except for which written approval has been issued by the DEPARTMENT OF PUBLIC WORKS or its designee. In addition to DPW approval, all such signage shall comply with Article 9, including the issuance of a sign permit.

9.2.32 The Planning Board may adopt and from time to time amend policies and regulations regarding SIGNS within or above a STREET or affixed to public property.

Section 9.2.40 Portable Signs

SIGNS 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, in accordance with Title 10 of the Municipal Ordinances.

Section 9.2.50 Signs which in any way Project above a Building or Structure

Signs shall not project more than twelve inches (12”) above the top of the roof peak or roof line.

Section 9.2.60 Pennant Signs

Except as specifically provided in Article 9, any SIGN consisting of or containing pennants; ribbons; streamers; spinners; balloons; strings of lights not associated with a religious holiday or seasonal celebration; flags other than those located on City property that identify a nation, state, city or town.

Section 9.2.70 Signs that Resemble Official Traffic Controls

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.

Section 9.2.80 Signs that Interfere with Traffic Safety

Any SIGN which in any way creates a hazard to traffic obscures or confuses traffic controls or blocks safe sight distance. Any SIGN which in any way obstructs free entrance or egress from a door, window or fire escape.

Section 9.2.90 Signs for Abandoned Use

Any SIGN advertising or identifying a business, service, product, commodity, entertainment or similar object or activity which has been ABANDONED. Such SIGN shall be removed within thirty (30) days after notice by the BUILDING COMMISSIONER.

Section 9.2.100 Sexually Explicit Signs

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

SECTION 9.3 GENERAL SIGN REGULATIONS

Except where stated otherwise, the following provisions shall apply to SIGNS in all ZONING DISTRICTS.

Section 9.3.10 Signs Painted on an Exterior Wall

No SIGN shall be painted or drawn directly upon any BUILDING. Any SIGNS to be painted or posted upon a BUILDING must be securely affixed to a substantial intermediate removable

surface, and such surface shall be securely affixed to the wall of the BUILDING. This shall not prevent painting or drawing murals or other public art directly on an exterior wall of a building.

Section 9.3.20 Permits, Construction and Maintenance

9.3.21 No SIGN(s) shall be attached, erected or otherwise installed on any property without first obtaining a SIGN PERMIT from the BUILDING DEPARTMENT, as provided in Section 9.5, except as otherwise specifically permitted in this Ordinance. Signs within the Neighborhood Commercial Overlay, the West Columbus Urban Renewal Overlay and the Casino Overlay District are also regulated in Article 8.

9.3.22 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.

9.3.23 All electrical equipment associated with a SIGN shall be installed and maintained in accordance with the National Electrical Code. The BUILDING COMMISSIONER 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. The BUILDING COMMISSIONER may require removal of SIGNS if the USE has been ABANDONED as provided in Section 9.3.100.

Section 9.3.30 Shopping Centers

9.3.31 A SHOPPING CENTER will be allowed the following SIGNS:

- A. One (1) multi-faced GROUND SIGN at each major STREET providing access to the property identifying the SHOPPING CENTER. The DISPLAY AREA on such a sign shall not exceed two hundred (200) square feet if the BUILDING FOOTPRINT is one hundred thousand (100,000) square feet or less. If the BUILDING FOOTPRINT exceeds one hundred thousand (100,000) square feet, the DISPLAY AREA shall not exceed three hundred (300) square feet.
- B. WALL SIGNS may be placed on top of covered walkways in front of BUILDINGS, provided they do not project more than two (2'-0") feet above the main roof line.

Section 9.3.40 Location of Permitted Signs

Permitted SIGNS that are attached to a BUILDING shall be located at the specific portion of the BUILDING or its facade directly associated with the USE for which SIGN is allowed.

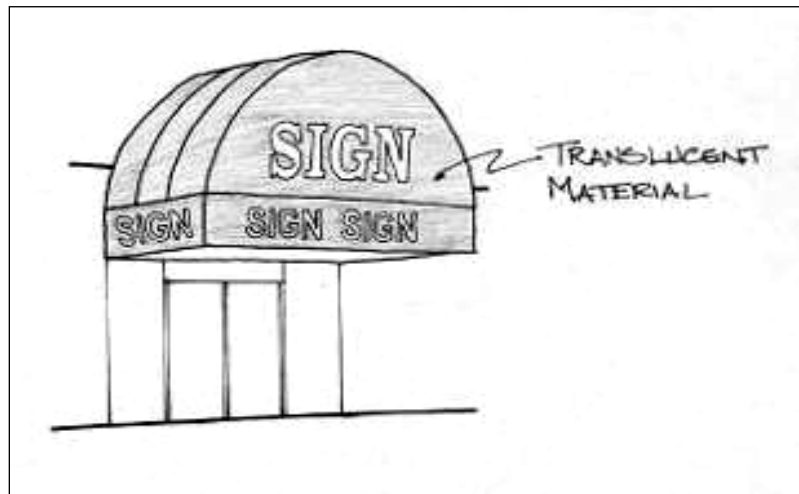
Section 9.3.50 Illumination

- 9.3.51 No SIGN shall incorporate or be lit by flashing or blinking lights, or by lights changing in intensity except as permitted herein.
- 9.3.52 When a SIGN is lit by an external source the illumination of a SIGN shall not interfere with the safe vision of any TRAFFIC PARTICIPANT.
- 9.3.53 The DISPLAY AREA of an illuminated SIGN shall not exceed an average luminance of fifty (50) foot-candles measured directly on the surface of the SIGN.
- 9.3.54 Light Fixtures including bulb or tubes used for SIGN illumination shall be selected and positioned to achieve the desired brightness of the SIGN with the minimum possible wattage, while ensuring compliance with all applicable requirements of this Ordinance.
- 9.3.55 The following types of SIGNS with internal illumination shall be permitted, provided that they comply with all applicable standards
- A. NEON SIGNS, subject to Section 9.4.130.
 - B. HALO INDIVIDUAL LETTER SIGNS or symbols, back-lit with a concealed light source, which create a halo effect in which the letters or symbols are silhouetted against a solid background, illuminated by the light source, as shown in Figure 9-5.

Figure 9-5 Halo Lettering

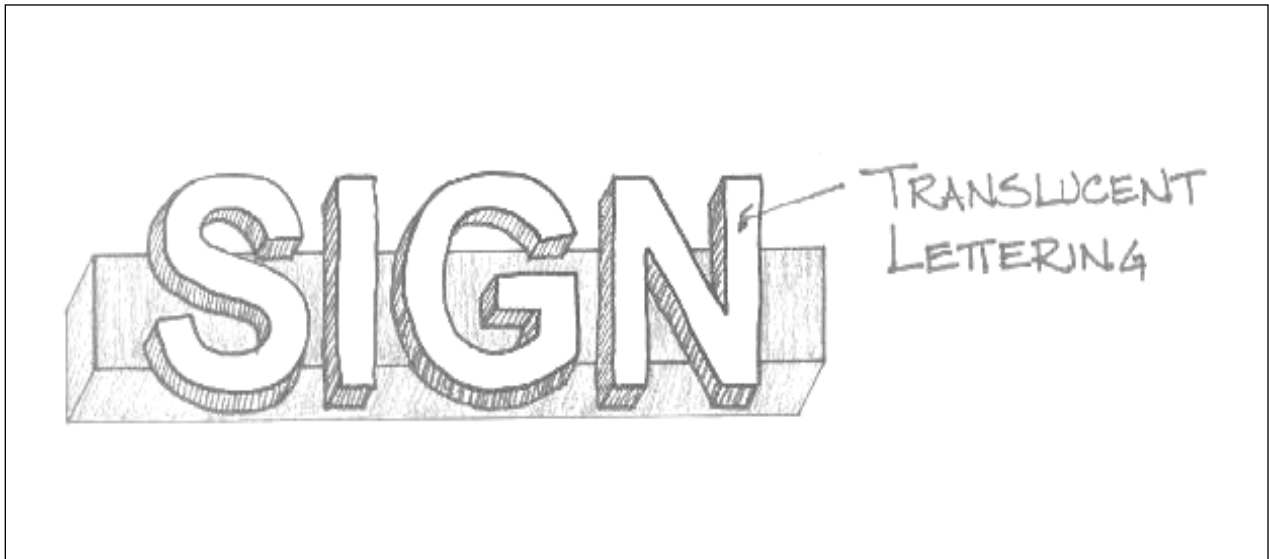


Figure 9-6 Back-lit Canopy



- C. Internally illuminated CANOPY SIGNS with the light source internal or concealed from public view from the STREET as shown in Figure 9-6.
1. AWNINGS may be lit by a fixed exterior light.
 2. CANOPY SIGNS may be made of a translucent material.
 3. Internally illuminated CANOPY SIGNS shall not be permitted in the Neighborhood Commercial Overlay and the West Columbus Urban Renewal Overlay.

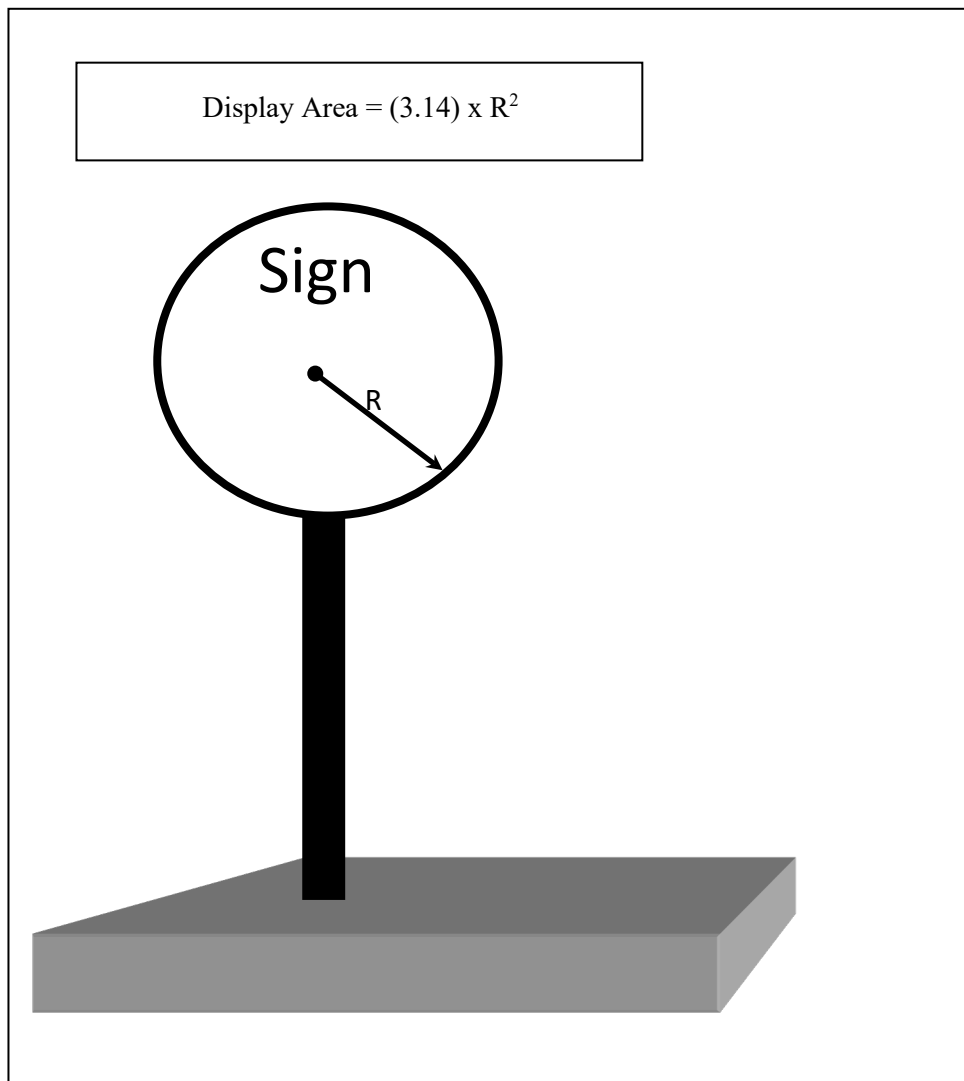
Figure 9-7 Internal Illumination with Channel Letters



- D. Internally illuminated SIGNS with “Channel” letter faces
 - 1. Internally illuminated or SIGNS with cutout translucent letter surfaces which are internally illuminated with a light source as shown in Figure 9-7.
 - 2. Such SIGNS shall not be permitted in the following Districts (Res A-1, Res A, Res B, and Res C).
- E. Internally illuminated SIGNS.
 - 1. Such SIGNS shall not be permitted in the following Residential Districts (Res A-1, Res A, Res B and Res C).
 - 2. Such Signs shall not be permitted in the Neighborhood Commercial Overlay District.

Section 9.3.60 Measurement of Signs

Figure 9-8 Certain Display Area Measurements



9.3.61 Irregularly Shaped Signs

The maximum surface area visible at one time of a spherical, three dimensional, irregular shaped or three (3) or more sided SIGN is counted to determine DISPLAY AREA. Figure 9-8 illustrates how a spherical or round sign DISPLAY AREA would be calculated.

9.3.62 Signs on a Base Material

When a SIGN is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used in calculating the DISPLAY AREA.

9.3.64 Individual Elements

- A. When SIGNS are constructed of individual elements attached to a BUILDING wall, the DISPLAY AREA is determined by calculating the area of an imaginary rectangle drawn around the SIGN elements. See Figures 9-1 and 9-2.
- B. However, if the SIGN is internally illuminated or has a border, the DISPLAY AREA includes the SIGN elements, the internally illuminated area, and/or the bordered area.

Section 9.3.70 Changing Image Signs

CHANGING IMAGE SIGNS that change or rearrange characters or letters or illustrations must comply with the following regulations. DISPLAY AREA calculations of a GROUND SIGN that includes a CHANGING IMAGE SIGN are shown in Figure 9-4.

- 9.3.71 CHANGING IMAGE SIGNS shall not flash, rotate, make noise; sparkle, twinkle or purposely reflect sunlight; move, or give the illusion that the SIGN is moving.
- 9.3.72 CHANGING IMAGE SIGNS are limited to a DISPLAY AREA of twenty-four (24) square feet. CHANGING IMAGE SIGNS may be increased in size with a Special Permit from the City Council in accordance with Section 9.12.
- 9.3.73 The images and characters on CHANGING IMAGE SIGNS may not move or refresh at a rate faster than once every ten (10) seconds.
- 9.3.74 No CHANGING IMAGE SIGN shall be permitted less than five (5) feet from the inside of a window facing a STREET, PUBLIC WAY or public pedestrian way.
- 9.3.75 CHANGING IMAGE SIGNS shall be used to display information about on-premise uses or activities only and shall not contain information about off premise uses, activities or businesses.
- 9.3.76 CHANGING IMAGE SIGNS are not permitted in the Neighborhood Commercial Overlay.
- 9.3.77 CHANGING IMAGE SIGNS are prohibited in all residential zoning districts.
- 9.3.78 CHANGING IMAGE SIGNS shall only be accessory to a ground sign.

- 9.3.79 If the CHANGING IMAGE SIGN is double sided, the distance between the two (2) signs shall not exceed twelve (12) inches.
- 9.3.80 CHANGING IMAGE SIGN(S) shall be equipped with automatic dimming capability to automatically adjust the illuminative brightness of the display according to ambient light conditions by means of a light detector/photocell. Further, the light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading shall be taken at least thirty (30) minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading shall be taken with the sign displaying all white copy. Measurement of the light levels shall be taken perpendicular to the face of the sign and at a distance of fifty (50) feet from the source.

SECTION 9.4 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 9.2 and 9.3 above unless specifically provided otherwise in this section. If SIGNS listed in Section 9.4 are part of a project where Site Plan Review or Special Permit Review is required, they will be reviewed as part of those review procedures.

Section 9.4.10 Agricultural Signs

A SIGN associated with on-premise AGRICULTURAL USES as referenced in Section 3 of M.G.L. Chapter 40A, offering for sale produce and other farm products. Such SIGN may be a PORTABLE SIGN.

Section 9.4.20 Construction Signs

One SIGN on the LOT of a DEVELOPMENT project identifying the proposed BUILDING, the owner or intended occupant and the contractor, architect and engineers. Its DISPLAY AREA shall not to exceed sixteen (16) square feet in the Residential and Commercial A Districts, or forty (40) square feet in any other District. Such SIGNS shall not be illuminated, shall not be ERECTED prior to the issuance of a BUILDING PERMIT, and shall be removed upon completion of the construction or prior to issuance of the OCCUPANCY PERMIT, whichever occurs sooner.

Section 9.4.30 Directory Signs

9.4.31 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:

- A. In the Business and Industrial Districts the DISPLAY AREA shall not exceed two (2) square feet for each occupant identified on the directory SIGN, nor more than a total of twenty-four (24) square feet; and

- B. In any other ZONING DISTRICT the DISPLAY AREA shall not exceed one (1) square foot for each occupant identified on the directory SIGN, nor more than a total of twelve (12) square feet. Such SIGNS shall not be illuminated.

Section 9.4.40 Fuel Pump Signs

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

Section 9.4.50 Government Signs

SIGNS, including PORTABLE SIGNS, ERECTED and maintained by the City, the Commonwealth of Massachusetts, or the Federal Government on any land, BUILDING or STRUCTURE in use by such governmental entity do not require a SIGN PERMIT. 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 other events.

Section 9.4.60 Informational and Directional Signs

9.4.61 Unless otherwise specified herein, a DIRECTIONAL SIGN may be ERECTED on a LOT consistent with applicable regulations in this Section. A Directional Sign shall conform to the following standards unless permitted as part of a Site Plan or Special Permit Review in accordance with Article 12:

- A. The maximum height of a DIRECTIONAL SIGN is four (4) feet as measured from average grade;
- B. The DISPLAY AREA of a DIRECTIONAL SIGN shall not exceed ten (10) square feet.

9.4.62 No more than three (3) DIRECTIONAL SIGNS are allowed for each USE on a LOT, unless approved by Special Permit in accordance with Section 9.12, or unless allowed as part of a Site Plan or Special Permit Review in accordance with Article 12.

9.4.63 INFORMATIONAL SIGNS shall not be internally illuminated, nor advertise, identify or promote any business, business service, product, commodity, entertainment or commercial activity.

9.4.64 The DISPLAY AREA of INFORMATIONAL SIGNS shall not exceed six (6) square feet.

Section 9.4.70 Display of Restaurant Menu

An eating or drinking establishment may display a copy of its menu affixed to an exterior wall or placed inside a window of the restaurant. The maximum DISPLAY AREA of the menu shall be two (2) square feet.

Section 9.4.80 Sale, Rent or Lease Signs

For Sale, Rent or Lease SIGNS shall not require a SIGN PERMIT provided that their DISPLAY AREA does not exceed twenty (20) square feet for property located in Commercial A, Business A, Business B, Business B-1, Business C, Business D or Industrial Districts and four (4) square feet for property located in any other district. In a Residential District, one (1) For Sale, Rent or Lease SIGN shall be allowed per LOT, and one (1) 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 PORTABLE SIGN and it shall be removed immediately following the closing of a sale, lease or rental agreement.

Section 9.4.90 Window Signs

WINDOW SIGNS, other than a NEON WINDOW SIGN, in the Commercial A, Business A, Business B, Business C, Business D, and Industrial Districts, provided that their aggregate DISPLAY AREA covers no more than fifty (50) 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 50 percent. WINDOW SIGNS in the above ZONING DISTRICTS that occupy more than fifty (50) percent of the window area are permitted with a SIGN PERMIT.

Section 9.4.100 Internal Neon Window Signs

Internally displayed NEON WINDOW SIGNS in the Business and Industrial Districts, are allowed without a SIGN PERMIT, provided that the DISPLAY AREA does not exceed ten (10) square feet or cover more than fifty (50) percent of the window in which they are ERECTED, whichever is less. There shall be not more than one (1) such SIGN allowed per PRINCIPAL USE. NEON SIGNS in the above ZONING DISTRICTS that do not meet this square footage, or occupy more than fifty (50) percent of the window area are permitted with a SIGN PERMIT.

SECTION 9.5 SIGN PERMITS

Unless specifically exempted from the Sign Permit requirement by Section 9.4, all SIGNS shall require a SIGN PERMIT from the BUILDING COMMISSIONER 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. SIGNS which have been approved under a Site Plan and/or a Special Permit Review shall be entitled to a SIGN PERMIT from the BUILDING COMMISSIONER, provided that the proposed SIGN complies with the Site Plan or Special Permit approval.

Section 9.5.10 Permit Application

9.5.11 All applications for SIGNS requiring a SIGN PERMIT shall be made to the BUILDING COMMISSIONER in such form as he may require and such applications shall include at least:

- A. The location, by STREET number, or PARCEL NUMBER, of the proposed SIGN;
- B. 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;
- C. 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;
- D. Other pertinent information as the BUILDING COMMISSIONER may require to ensure compliance with the Ordinance and any other applicable law; and
- E. 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 BUILDING COMMISSIONER shall have the authority to reject any SIGN PERMIT application which is not complete when submitted.

Section 9.5.20 Permit Processing Time Frame

The BUILDING COMMISSIONER shall approve or disapprove any application for a SIGN PERMIT within thirty (30) days of receipt of the application unless such SIGNS require a Special Permit or Site Plan Review. If the BUILDING COMMISSIONER should fail to approve or disapprove an application for a SIGN PERMIT within such thirty (30) day period, the application shall be deemed to be approved.

Section 9.5.30 Fees

The BUILDING COMMISSIONER shall establish and from time to time review a SIGN PERMIT fee which shall be published as part of a SIGN PERMIT application form.

SECTION 9.6 SIGN REGULATIONS FOR RESIDENTIAL DISTRICTS

The SIGNS described in this Section 9.6 are allowed subject to the issuance of SIGN PERMIT by the Building Commissioner as provided in Section 9.5.

Section 9.6.10 Residential A, A-1, B, C, C-2 and OS Districts

The following SIGNS are permitted within Residential A, A-1, B, C and OS ZONING DISTRICTS:

- 9.6.11 PROFESSIONAL SIGNS: One (1) double-faced PROFESSIONAL SIGN is permitted for each separate ACCESSORY USE with a maximum area of one hundred forty-four (144) square inches. It may be an illuminated SIGN. The maximum height is six (6) feet. The SIGN shall conform to the YARD requirements of the district within which it is located.
- 9.6.12 BULLETIN BOARD SIGN: One (1) BULLETIN BOARD SIGN is allowed for each side of a LOT fronting on a STREET in conjunction with the following USES: Churches, other places of worship, school BUILDINGS, public libraries, municipal BUILDINGS, and similar public or charitable uses. The maximum DISPLAY AREA shall be twenty-four (24) square feet. The SIGN height shall not exceed six (6) feet if such a SIGN is a GROUND SIGN. Such a SIGN may be illuminated.
- 9.6.13 IDENTIFICATION SIGNS. For Single and TWO-FAMILY residential USES in any ZONING DISTRICT, one WALL SIGN on a LOT identifying the occupants of the DWELLING and/or any other USE which is conducted on the LOT and is permitted in a Residential District. In a Residential District, one WALL SIGN on a LOT identifying a NONCONFORMING USE is allowed. All such SIGNS shall not exceed one (1) square feet of DISPLAY AREA and shall not be illuminated, except when coincidental to the illumination of a BUILDING, driveway or similar feature.
- 9.6.14 Multi-family dwelling SIGNS . A SIGN identifying the name of an APARTMENT BUILDING with more than six (6) DWELLING UNITS, not exceeding twelve (12) square feet in Display Area . If a GROUND SIGN, its height shall not exceed four (4) feet above ground level and if mounted to the exterior wall of a BUILDING no portion thereof shall be higher than four (4) feet from the ground.

Section 9.6.20 Residential C-2 Districts

- 9.6.21 PROFESSIONAL SIGNS. One (1) illuminated identification SIGN is allowed for each BUILDING. The maximum DISPLAY AREA of such a SIGN is thirty-two (32) square feet. A GROUND SIGN shall be located at least ten (10) feet from the FRONT LOT LINE.
- 9.6.22 Commercial USES. Any SIGNS erected in conjunction with a commercial USE allowed in this district shall conform to the dimensional standards in Section 9.8.

- 9.6.23 Multi-family dwelling SIGNS . A SIGN identifying the name of an APARTMENT BUILDING with more than six (6) DWELLING UNITS, not exceeding twelve (12) square feet in Display Area . If a GROUND SIGN, its height shall not exceed four (4) feet above ground level and if mounted to the exterior wall of a BUILDING no portion thereof shall be higher than four (4) feet from the ground.

SECTION 9.7 RESERVED

SECTION 9.8 SIGN DESIGNS AND DIMENSIONS

Section 9.8.10 Wall Signs

Any PRINCIPAL USE permitted in Office A, Commercial A, Business A, Business B, Business B-1, Business C, Business D, and the Industrial Districts may ERECT a WALL SIGN identifying a business, subject to the following:

- 9.8.11 The maximum DISPLAY AREA of a WALL SIGN shall not exceed four (4) square feet for each lineal foot of BUILDING wall. This BUILDING wall is measured by the lineal frontage of the BUILDING which is occupied by a USE.
- 9.8.12 Except as specifically provided herein, a WALL SIGN may only be ERECTED on the exterior wall of the ground floor and up to one (1) foot below the level of the bottom sills of any windows of the story above the ground floor of a BUILDING.
- 9.8.13 One (1) WALL SIGN per USE, or multiple SIGNS, the total of which does not exceed the WALL SIGN dimensional standard, are allowed for each side of the BUILDING fronting on a STREET or public pedestrian way.
- 9.8.14 If a business has a secondary BUILDING WALL or walls other than the front wall, with or without a direct entrance to the business that faces upon a walkway, DRIVEWAY, or PARKING area under the same control or ownership as the BUILDING, there may be a WALL SIGN affixed to such wall. The DISPLAY AREA of such WALL SIGN is based on the lineal feet of the secondary BUILDING WALL. Such WALL SIGN shall not exceed the size of the WALL SIGN located on the primary BUILDING FRONTAGE.
- 9.8.15 Except for AWNING SIGNS and CANOPY SIGNS, a WALL 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 six (6) inches from any such architectural features.

9.8.16 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 drive-up window.

9.8.17 A WALL SIGN to be located above the first floor of a BUILDING may be approved by a Tier 3 Special Permit in accordance with Section 12.4 and Section 9.12.

Section 9.8.20 Projecting Signs

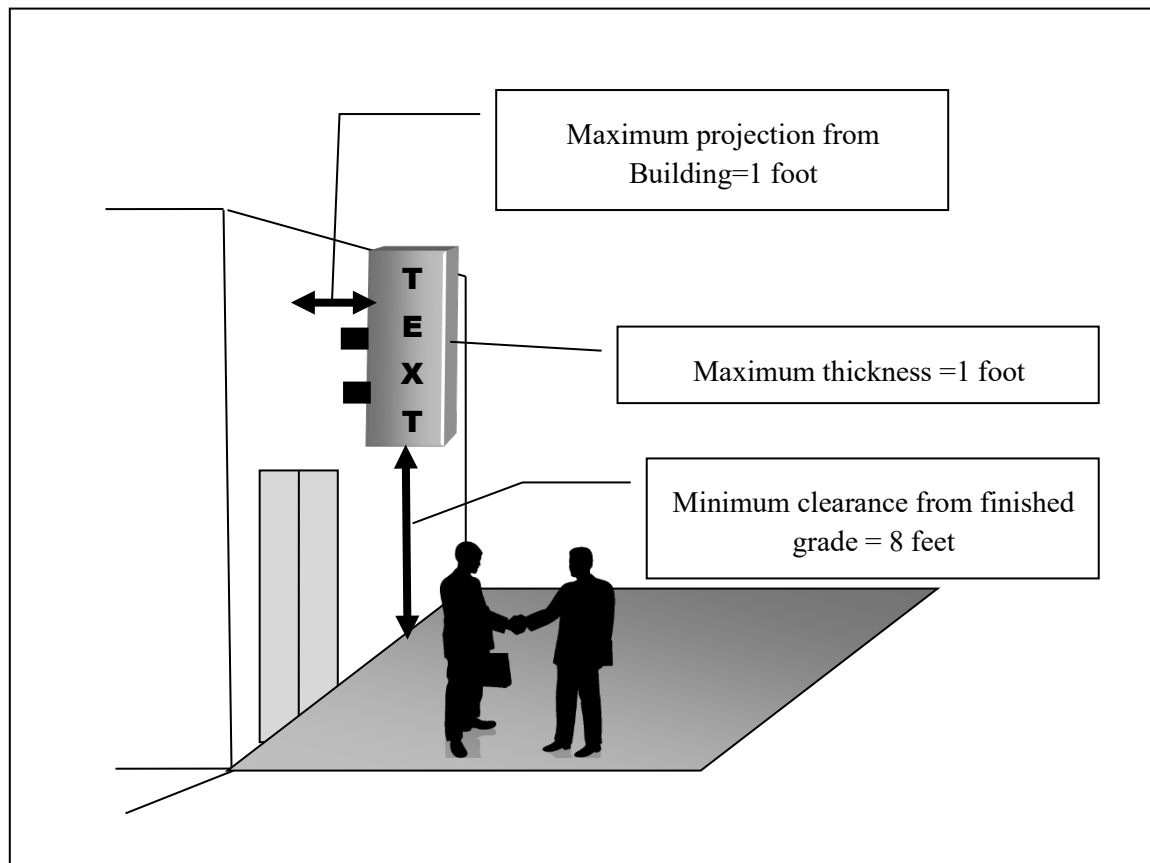
Any PRINCIPAL USE permitted in Commercial A, Business A, Business B, BusinessB-1, Business C, Business D, Industrial Districts may ERECT a PROJECTING SIGN identifying a business, subject to the following:

9.8.21 A PROJECTING SIGN may be ERECTED on a BUILDING provided that the DISPLAY AREA complies with Table 9-1. If a ZONING DISTRICT is not listed in Table 9-1, Projecting Signs are not allowed in that district.

Table 9-1 Projecting Signs					
	Com A	Bus A, Bus B, Bus B-1	Bus C	Bus D	IA, IP, MUI
Maximum Area of Projecting Sign	12 square feet	48 square feet	48 square feet	96 square feet	96 square feet

9.8.22 The thickness between the SIGN faces shall not exceed one (1) foot. The closest point of a PROJECTING SIGN to a BUILDING wall shall not exceed one (1) foot. A PROJECTING SIGN shall maintain a minimum clearance of eight (8) feet above a walkway or sidewalk. A PROJECTING SIGN shall not extend more than three (3) feet beyond the street line. See Figure 9-9.

Figure 9-9 Projecting Sign



Section 9.8.30 Awning Signs

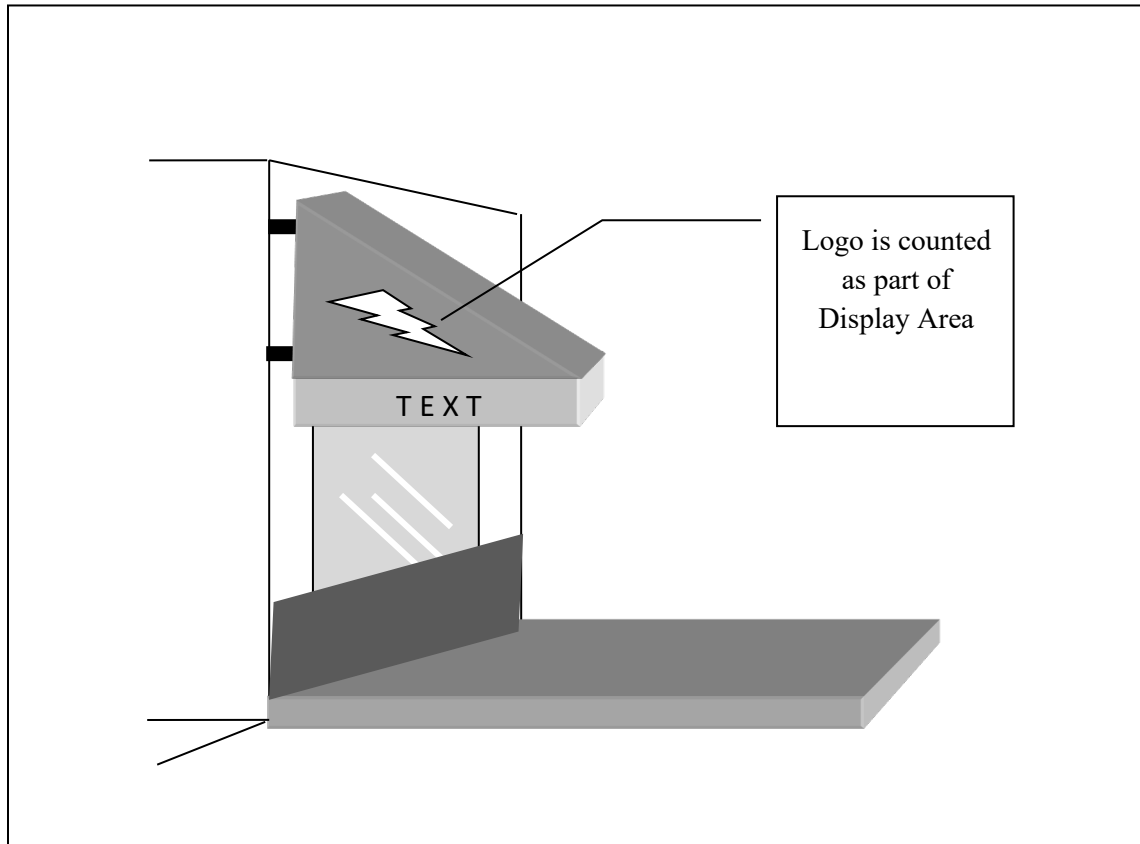
Any PRINCIPAL USE permitted in Commercial A, Business A, Business B, BusinessB-1, Business C, Business D, Industrial Districts may ERECT an AWNING SIGN identifying a business, subject to the following:

9.8.31 An 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 Commercial A, Business A, Business B, Business B-1 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.

9.8.32 The maximum DISPLAY AREA of an AWNING SIGN shall be twelve (12) square feet for surfaces positioned parallel or convex to the BUILDING wall, and six (6) square feet for surfaces positioned perpendicular to the BUILDING wall. An AWNING SIGN shall project at least three (3) feet from the wall and shall maintain a minimum clearance of eight (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. See Figure 9-10 for an example.

Figure 9-10 Awning Sign



Section 9.8.40 Ground Signs

Any PRINCIPAL USE permitted in Commercial A, Business A, Business B, BusinessB-1, Business C, Business D, Industrial Districts may ERECT a GROUND SIGN identifying a business, subject to the following:

9.8.41 Number and Size of Ground Signs

Table 9-2 gives the allowed number and dimensional standards for GROUND SIGNS by district, followed by detailed requirements for such SIGNS.

9.8.42 Ground Signs Adjacent to Certain Portions of Interstate 91

A certain elevated section of Interstate 91 that runs through the Central Business District creates a unique challenge for businesses adjacent to the elevated highway. Table 9-2 includes special height limits for these areas which are shown the Official Zoning Map in the Office of Planning

& Economic Development. Properties within the West Columbus Urban Renewal Overlay District are not included in this area.

Table 9-2 Ground Signs				
	Com A, Bus A, Bus B, Bus B-1	Bus C	Bus D	MUI, IA, IP,
Pole Signs				
Maximum Display Area Size Limit (per face)	100 square feet	100 square feet	200 square feet of BUILDING size up to 100,000 square feet; 300 square feet for BUILDING size over 100,000 sq. feet.	100 square feet
Maximum Number	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet	1 per lot if the front yard is 10 feet deep or greater	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet
Menu Signs for drive thru	1 in addition to the Ground Signs allowed above with maximum 24 square feet Display Area per face	1 in addition to the Ground Signs allowed above with maximum 24 square feet Display Area per face	1 in addition to the Ground Signs allowed above with maximum 24 square feet Display Area per face	1 in addition to the Ground Signs allowed above with maximum 24 square feet Display Area per face
Maximum Height	30 feet	30 feet	30 feet	30 feet
Maximum Height for East and West Columbus Streets abutting Interstate 91 (refer to Section 9.8.42)	10 feet above adjacent Interstate 91 road surface or base height limit, whichever is higher.	10 feet above adjacent Interstate 91 road surface or base height limit, whichever is higher.	10 feet above adjacent Interstate 91 road surface or base height limit, whichever is higher.	10 feet above adjacent Interstate 91 road surface or base height limit, whichever is higher.

Table 9-2 Ground Signs				
	Com A, Bus A, Bus B, Bus B-1	Bus C	Bus D	MUI, IA, IP,
Monument Signs				
Maximum Display Area Size Limit (per face)	100 square feet	100 square feet	100 square feet	100 square feet
Maximum Number	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet	1 per lot if the front yard is 10 feet deep or greater	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet	1 per lot or 1 per 300 lineal feet of lot frontage and 1 for each additional 300 feet
Maximum Height	7 feet	7 feet	7 feet	7 feet

9.8.43 Monument Sign with Stone Base

Where the exterior surface of the support STRUCTURE of a MONUMENT SIGN 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.

9.8.44 Additional Ground Sign Regulations

The additional provisions shall apply to GROUND SIGNS in the Commercial A, Business A, Business B, Business B-1, Business C and Industrial Districts:

- A. GROUND SIGNS are permitted only for those USES which occupy space on the first (ground) story level. These SIGNS shall only be ERECTED on property owned, leased or rented for and used in operation with the specific USE.
- B. Where a POLE SIGN identifies a business, such POLE SIGN shall be permitted in addition to a WALL SIGN permitted on the same LOT. The

DISPLAY AREA and Height of the GROUND SIGN shall be in accordance with Table 9-2.

- C. MONUMENT SIGN. The maximum DISPLAY AREA may be increased to one hundred and seventy two (172) square feet provided, however, that the height of a MONUMENT SIGN shall not exceed six (6) feet.
- D. When a GROUND SIGN is within the Business D District (Shopping Center):
 - 1. One (1) multi-faced GROUND SIGN shall be permitted at each major STREET providing access in the property that identifies the SHOPPING CENTER.
 - 2. This DISPLAY AREA shall not exceed two hundred (200) square feet if the BUILDING area exceeds 100,000 square feet. If the BUILDING area exceeds 100,000 square feet, the DISPLAY AREA shall not exceed three hundred (300) square feet.
- E. One (1) GROUND SIGN identifying an Office Park or industrial park, which may be located on more than one (1) LOT, shall be permitted, subject to the following:
 - 1. Only one (1) such SIGN shall be permitted for each OFFICE PARK OR INDUSTRIAL PARK.
 - 2. Such GROUND SIGN shall only identify the OFFICE PARK OR INDUSTRIAL PARK and shall be subject to the provisions applicable to GROUND SIGNS 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 be included in calculating the maximum DISPLAY AREA.
 - 3. Such GROUND SIGN may be permitted in addition to any permitted WALL SIGNS on the same LOT but no other GROUND SIGN shall be permitted on the same LOT.
 - 4. Such SIGN shall be ERECTED on the LOT where the OFFICE PARK OR INDUSTRIAL PARK is located.

SECTION 9.9 NON-ACCESSORY SIGNS (ALSO KNOWN AS BILLBOARDS)

Section 9.9.10 Purpose

To preserve and promote the public health, safety, and welfare of the residents of the City by maintaining and enhancing the visual environment, by protecting areas of scenic beauty or of historic interest, by minimizing the possible adverse effect of NON-ACCESSORY SIGNS on nearby residences, public resources, or private property.

Section 9.9.20 Limitation and Restrictions

9.9.21 There shall not be more than two hundred (200) NON -ACCESSORY SIGNS in the City. These SIGNS must be properly permitted by the City and by the Outdoor Advertising Division of the Commonwealth of Massachusetts. Existing SIGNS which are so properly permitted may be maintained and repaired but not enlarged.

9.9.22 The BUILDING COMMISSIONER may issue a permit for a new NON -ACCESSORY SIGN allowed under this cap or for the relocation of a pre-existing SIGN permitted by the City and Commonwealth provided the new SIGN or new location complies with the following provisions:

- A. A NON-ACCESSORY SIGN shall require a Tier 3 Special Permit from the City Council.
- B. One (1) NON-ACCESSORY SIGN with an area less than one hundred (100) square feet shall be allowed for each parcel only if such SIGN is a "WALL SIGN." Such a SIGN shall not project more than twelve (12) inches from the surface of the wall to which it is attached, or vertically past the roofline or parapet, or horizontally past the extent of the wall to which it is attached. Height from the top of the SIGN to finished grade shall not exceed thirty (30) feet.
- C. A NON-ACCESSORY SIGN shall not be located within a five hundred (500) foot radius of an existing NON-ACCESSORY SIGN.
- D. A NON-ACCESSORY SIGN shall not be erected:
 - 1. In any location where it obstructs a view of scenic beauty and interest or places of historic interest. In making this determination, the BUILDING COMMISSIONER may consult the Springfield Park Commission and Springfield Historical Commission.

2. In any location within five hundred (500) feet of, and visible from, the grounds of a school, place of worship, college, public library, public park, public conservation area, museum, cemetery, or property or district listed on the State Register of Historic Places, or from an American Heritage River.
3. In any location within five hundred (500) feet of, and visible from, a residential ZONING DISTRICT or a BUILDING containing residences.
4. In any location within an authorized urban renewal area which prohibits NON-ACCESSORY SIGNS.
5. On a roof.

9.9.23 A NON-ACCESSORY SIGN of one hundred (100) square feet or larger may be either a POLE SIGN or WALL SIGN. As a POLE SIGN it may be a double-faced SIGN provided the distance between the two faces shall not exceed ten (10) feet at any point. Height from the top of the SIGN to finished grade of the roadway it faces shall not exceed thirty (30) feet.

9.9.24 A relocated NON-ACCESSORY SIGN shall not exceed its size at its current location. In no case shall a relocated NON-ACCESSORY SIGN exceed one hundred (100) square feet in Business A districts or seven hundred (700) square feet in Business B or Industrial A districts. Relocated NON-ACCESSORY SIGNS are not allowed in any other ZONING DISTRICT. Relocated NON-ACCESSORY SIGNS are not allowed on roofs.

9.9.25 When an existing NON-ACCESSORY SIGN is removed under this cap, a new NON-ACCESSORY SIGN may be permitted but shall not exceed the size of the removed NON-ACCESSORY SIGN. In no case shall a new NON-ACCESSORY SIGN exceed one hundred (100) square feet in Business A districts or seven hundred (700) square feet in Business B or Industrial A districts. New NON-ACCESSORY SIGNS are not allowed in any other ZONING DISTRICTS or allowed on roofs.

Section 9.9.30 Digital Non-Accessory Sign

9.9.31 Digital non-accessory signs shall require a Tier 3 Special Permit by the City Council and shall only be allowed in Business B or Industrial A zones.

9.9.32 A digital non-accessory sign shall not be located in:

- A. In any location where it obstructs a view of scenic beauty and interest or places of historic interest. In making this determination, the BUILDING COMMISSIONER may consult the Springfield Park Commission and Springfield Historical Commission.
- B. In any location within five hundred (500) feet of, and visible from, the grounds of a school, place of worship, college, public library, public park, public conservation area, museum, cemetery, or property or district listed on the State Register of Historic Places, or from an American Heritage River.
- C. In any location within five hundred (500) feet of, and visible from, a residential ZONING DISTRICT or a BUILDING containing residences.
- D. In any location within an authorized urban renewal area which prohibits NON-ACCESSORY SIGNS.

- 9.9.33 Digital non-accessory signs shall not flash, rotate, make noise, sparkle, twinkle or purposely reflect sunlight; move or give the illusion of moving.
- 9.9.34 Digital non-accessory signs shall not contain streaming video, full-motion video, animation or frame effects.
- 9.9.35 The transition time, or the time it takes to change each message, shall be one (1) second or less.
- 9.9.36 Digital non-accessory signs shall have a frame hold time of not less than ten (10) seconds.
- 9.9.37 A digital non-accessory sign shall not be visible from more than one (1) direction of travel.
- 9.9.38 Digital non-accessory signs shall be equipped with automatic dimming capability to automatically adjust the illuminative brightness of the display according to ambient light conditions by means of a light detector/photocell. Further, the light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading shall be taken at least thirty (30) minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading shall be taken with the sign displaying all white copy. Measurement of the light levels shall be taken perpendicular to the face of the sign and the following distances should be used as a guideline to determine measurement distances:

- A. Signs one hundred (100) square foot or smaller to be measured at a distance of one hundred (100) feet from source;
- B. Signs one hundred (100) to three hundred and fifty (350) square feet shall be measured at a distance of one hundred and fifty (150) feet from source;
- C. Signs greater than three hundred and fifty (350) to six hundred and fifty (650) square feet shall be measured at a distance of two hundred (200) feet from source;
- D. Signs greater than six hundred and fifty (650) to seven hundred (700) square feet shall be measured at a distance of two hundred and fifty (250) feet from the source.

- 9.9.39 Spillover light exceeding 0.2 foot candles as measured at a residential property line is prohibited.
- 9.9.40 The owner of each digital, non-accessory sign shall provide the City of Springfield's Building Department information for a 24-hour contact to be able to turn off the sign promptly should a malfunction occur.
- 9.9.41 If at any time, more than twenty five percent (25%) of the digital display lights malfunction or are no longer working, the owner of said digital non-accessory sign shall make repairs to the sign within thirty (30) days or the sign shall be turned off until repairs are completed.
- 9.9.42 If after the installation of a digital non-accessory sign, the US Department of Transportation, Federal Highway Administration or the Massachusetts Department of Transportation, Office of Outdoor Advertising, concludes that digital non-accessory signs are detrimental to traffic safety, then the hazard posed by the sign shall be resolved. If the hazard can be effectively resolved by adjusting the brightness, length of display or other such performance standard, then this shall be allowed as the course of action. However, if the hazard cannot be effectively resolved by adjusting the performance of the sign, the sign shall be removed and may be replaced with a non-digital, non-accessory sign.
- 9.9.43 A digital non-accessory sign cannot replace an existing non-accessory sign that is non-conforming unless the entire sign is brought into compliance with all the applicable provisions of this Article.

- 9.9.44 A digital non-accessory signs shall comply with all any and all regulations as outlined in Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restriction of Billboards, Signs and Other Advertising Devices, as amended.

SECTION 9.10 SPECIAL EVENT SIGNS

Section 9.10.10 Number and type of Signs

One SIGN may be ERECTED with a SIGN PERMIT 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.

Section 9.10.20 Measurement and Size

- 9.10.21 The DISPLAY AREA of a Special Event Sign shall be measured as shown in figure 9-1.

- 9.10.22 When such SIGN is hung on a building the DISPLAY AREA shall not exceed one hundred (100) square and shall be ERECTED on the same LOT where the event occurs. Such a SIGN shall not be ERECTED on a sidewalk, walkway or driveway, or within 5 feet from the sideline of a STREET or right of way customarily used by the general public. When such sign is a GROUND SIGN, the DISPLAY AREA shall not exceed twelve (12) square feet.

Section 9.10.30 Design

Such SIGN shall comply with all provisions of Sections 9.3 and 9.4, but it shall not be illuminated. Notwithstanding Sections 9.2.40 and 9.2.70 it may be a PORTABLE SIGN and may consist of a flag or balloon, or may be decorated with ribbons, flags, streamers or balloons which remain reasonably within the confines of the SIGN.

Section 9.10.40 Timeframe

Such a SIGN shall not be ERECTED sooner than thirty (30) days before the event and it shall be removed not later than seven (7) days after completion of the event. Only one such SIGN shall be ERECTED per PRINCIPAL USE at any given time. The number of times such a SIGN may be ERECTED shall not exceed four events per PRINCIPAL USE in one calendar year.

SECTION 9.11 NONCONFORMING SIGNS

Any Nonconforming Sign lawfully ERECTED may continue, subject to the following:

Section 9.11.10 Nonconforming Signs Accessory to a Nonconforming Use or Nonconforming Building

Such SIGNS shall be removed or replaced concurrently with any expansion or change of such NONCONFORMING USE or NONCONFORMING BUILDING. Such nonconforming Signs shall be replaced with a conforming SIGN or SIGNS prior to the issuance of an occupancy permit for any expansion of a NONCONFORMING BUILDING in which a NONCONFORMING USE is to be expanded.

Section 9.11.20 Maintenance

Nothing herein shall be deemed to prevent orderly, regular and timely maintenance, repair and repainting with the same original colors of a nonconforming SIGN.

Section 9.11.30 Exceptions

The continuance of the NONCONFORMING SIGN allowed herein shall terminate with respect to any SIGN which:

- 9.11.31 Has been ABANDONED; or
- 9.11.32 Advertises or calls attention to any products, businesses or activities which are no longer carried or sold, whether generally or at the particular premises; or
- 9.11.33 Has not been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the BUILDING COMMISSIONER.

SECTION 9.12 SIGNS REQUIRING A SPECIAL PERMIT FROM THE PLANNING BOARD

Section 9.12.10 Authority to Modify Sign Regulations

- 9.12.11 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 9.6, 9.7 and 9.8:
 - A. A greater number of SIGNS than allowed under Sections 9.6, 9.7 and 9.8, but not more than one (1) 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 9.1.
 - B. SIGNS with dimensions in excess of those permitted under Sections 9.6, 9.7 and 9.8, subject to the following limitations:

1. No GROUND SIGN higher or wider than one and one half (1.5) times the maximum height or width otherwise permitted, and
 2. No SIGN larger than two (2) times the otherwise permitted maximum DISPLAY AREA, and
 3. One (1) GROUND SIGN per BUILDING in Business C above the second floor and larger than the dimensional standards otherwise allowed.
- C. A SIGN in a location or in a position not otherwise permitted, but not a ROOF SIGN, a NON-ACCESSORY SIGN, 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.
- D. 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.
- E. A type or method of SIGN illumination not otherwise permitted provided that it meets the Purpose statement of this Article.

Section 9.12.20 Approval Criteria

9.12.21 A Special Permit under this section shall only be issued if the Planning Board finds that, in addition to meeting the criteria of Section 12.4, the resulting deviation from the otherwise applicable requirements of this Article meets the following criteria:

- A. The SIGN will be consistent with the intent and purpose of Article 9.
- B. The SIGN will be consistent with the character and USE of the area and with the ZONING DISTRICT in which it is ERECTED.
- C. The SIGN will be appropriate in scale and proportion in its design and in its visual relationship to BUILDINGS in the area and its general surroundings and in particular:
 1. The SIGN will be 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; and

2. The SIGN will provide continuity with other SIGNS, not including any NONCONFORMING 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.; and
3. The colors, materials and illumination of the proposed SIGN are restrained and harmonious with the BUILDING and the site to which it principally relates; and
4. The material used for the SIGN is appropriate and does not detract from the aesthetic qualities of its surroundings.

- D. In the case where a SPECIAL EVENT SIGN under Section 9.10.20, 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 Ordinance.

Section 9.12.30 Imposition of Conditions

When granting a Special Permit hereunder, the Planning Board, in order to mitigate negative impacts of a SIGN, 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. The Planning Board may require the removal of any NONCONFORMING SIGN or SIGNS on the LOT and it may impose such other conditions as it deems appropriate to further the purpose of this Article as stated in Section 9.0.

Section 9.12.40 Special Permit Rules and Regulations

The Planning Board shall promulgate Rules and Regulations governing the granting of Special Permits under this Section, including but not limited to the contents of an application and application fees.

SECTION 9.13 SUBSTITUTION OF NON-COMMERCIAL SIGN COPY

Notwithstanding anything herein to the contrary, non-commercial copy may be substituted for commercial copy on any lawful SIGN STRUCTURE.