

To see if the Town will vote to amend the Code of Lunenburg, to modify §250-6.5.E(1) by inserting the words “a home occupation per §250-4.2.(4) or” and §250-6.5.F by inserting §250-6.5.F(4) as printed below to allow some signs By-Right in Commercial Districts, or take any action relative thereto

**§ 250-6.5 Signs.**

- A. General requirements. It is the intention of these sign regulations to promote public safety, protect property values, create an attractive business climate and enhance the physical appearance of the community. No signs or advertising devices of any kind or nature, etc. shall be erected on any premises or affixed to the outside of any structure except as herein permitted.
  - (1) All signs, together with their supports, braces, guys and anchors, shall be kept in good repair and in safe condition. The owner or occupier of the premises on which a sign is erected shall be directly responsible for keeping such sign and premises around it in a safe, sanitary, neat and clean condition.
  - (2) Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity and color and shall be designed, located, erected and maintained only for the purposes of illuminating the subject sign and/or premises. Said illuminated sign may not directly shine into the eyes of any occupant of any vehicle traveling upon any highway, driveway or parking area or into any window of any residence within 200 feet or where the illumination will interfere with the visibility or readability of any traffic sign or device.
- B. Signs permitted in all districts.
  - (1) The following signs are permitted in all districts, provided they meet the general requirements of Subsection A:
    - (a) One nonilluminated identification sign not to exceed three square feet in area or eight feet in height from average grade, stating the name and address of the occupant, or in the case of a sign which lists only the names of occupants of dwellings on the street on which it is located, a sign of a size and location approved by the Building Commissioner.
    - (b) One temporary nonilluminated real estate sign pertaining to the lease, sale or use of a lot or building on which such sign is placed, not exceeding a total area of six square feet.
    - (c) One sign for identification of professional and home occupations, not exceeding a total area of three square feet.
    - (d) A marker not to exceed two square feet identifying a historic building.
    - (e) A sign erected by the Town, county, state or federal government or other governmental units.
    - (f) A sign erected by a public carrier for direct information concerning its service at the location, which shall not exceed 12 square feet.
    - (g) Signs and displays associated with an approved stand for the retail sale of agricultural or farm produce not exceeding 12 square feet in total area.
    - (h) A sign erected by any fraternal, civic, religious or service organization or club, merely announcing its presence in the Town of Lunenburg and the time and place of its regular meeting, provided such sign shall not exceed three feet in diameter nor nine square feet in area.
    - (i) Any flag, badge, insignia or device of any governmental agency or civic, charitable, religious, patriotic, political, fraternal or similar nonprofit organization when displayed along a line of march of any parade or in sockets along any street during a fund-raising drive, as permitted by the Building Commissioner.

- (j) Temporary political signs displayed during election campaigns, provided no sign shall exceed four square feet in a residence zone or 24 square feet in a commercial district.
- (k) One "open" flag or portable sandwich board style sign may be permitted as described herein. The only allowable flag shall be no larger than three feet by five feet, with only the word "open" on the flag. The only allowable portable sign shall be a so-called "sandwich board" sign, i.e., a two-panel sign shaped like an inverted letter V, which rests on the ground or other flat surface. Each panel of such sign shall be no larger than two feet by two feet. Any such flag or portable sign may be displayed only when the related business is open and is permitted only on lots where only one business is located. These are not permitted on multi-business-tenant lots or malls. Flags or portable signs must comply with setback and corner clearance criteria.

(2) A temporary construction sign is permitted in any district, provided the sign is nonilluminated, does not exceed 32 square feet in area, identifies an engineer, architect and/or contractor engaged in the development of land or construction or alteration of buildings, and further provided such sign is set back at least 10 feet from any street line and is removed upon completion of construction.

(3) Temporary signs, advertising special events, sales for nonprofit organizations or causes or changes in the nature of an activity of a public nature may be placed on common public areas, which include the Upper Common, the Lower Common, school property, church property, parks and like property determined by the Building Commissioner and approved by the proper governing authority to be public property, provided that:

- (a) Temporary signs may only be erected for a two-week period.
- (b) Temporary signs do not exceed two feet by three feet.
- (c) Temporary signs may include banners.
- (d) A two-dimensional plot plan shall be presented to and approved by the Building Commissioner prior to the erection of the sign.

C. Maximum area, height and illumination requirements of signs. Signs are permitted as follows and in accordance with all the provisions of this section and all applicable provision for development plan review (§ 250-8.4).

<b>Classification</b>	<b>Maximum Area of Building Sign (square feet)</b>	<b>Maximum Height of Signs from Average Grade (feet)</b>	<b>Illumination</b>
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**Class A:**

Residence A	3	8	Natural or external lighting only
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Residence B	3	8	
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Outlying	3	8	
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Limited Business-Residential	9	8	
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**Class B:**

<b>Classification</b>	<b>Maximum Area of Building Sign</b>	<b>Maximum Height of Signs from Average Grade</b>	<b>Illumination</b>
	(square feet)	(feet)	
Retail/Commercial	24	30	Internal lighting
Recreation	9	8	Natural or external lighting only

**Class C:**

Commercial	220	30	Internal lighting
Also see Subsection <b>D</b>			

**Class D:**

Office Park/Industrial	220	30	Natural or external lighting
Floodplain	All signs are governed by the underlying district(s)		
Water Supply Protection	All signs are governed by the underlying district(s)		

**D. Location and number of signs.**

(1) Signs are permitted as follows and in accordance with all the provisions of this section and all applicable provisions for development plan review (§ 250-8.4):

<b>Classification</b>	<b>Size/Placement</b>	<b>Number of Signs</b>
<b>Class A:</b>		
Residence A	All signs shall be located on the 1 per street building or at a minimum distance from the street line of 50% of the required front yard	
Residence B		
Limited Business/Residential		
Outlying		
<b>Class B:</b>		
Retail/Commercial	A freestanding sign (pylon) and 1 per principal use a sign located on the building, not exceeding 24 feet	
Secondary signs	To be determined by the development plan review	1 per principal use

Classification	Size/Placement	Number of Signs
Recreation	A sign on the building or at a minimum of 20 feet from street line.	1 per principal use
<b>Class C: Commercial</b>		
Single use:		
Freestanding sign	A freestanding sign (pylon) or a sign located on the building which may not exceed 36 square feet, unless the ground floor area of the building exceeds 10,000 square feet, in which case there may be 1 additional square foot of sign for every additional 500 square feet of ground floor area thereafter	1 per principal use
Primary sign		
Secondary signs	A sign(s) located on the building which may not be more than 50% of the size of the freestanding or primary sign	2 per principal use
Multi-use, 1 building:		
Freestanding sign	A freestanding sign (pylon) and a sign located on the building which may not exceed 36 square feet unless the ground floor area of the building exceeds 10,000 square feet, in which case there may be 1 additional square foot of sign for every additional 500 square feet of ground floor area thereafter, plus such additional square feet as may be permitted in Subsection <b>D(2)</b>	1 per building
Primary sign		1 per principal use
Secondary sign	A sign located on the building which may not be more than 50% of the primary sign	1 per principal use
Multi-use, multiple buildings on a site or a shopping center:		
Freestanding sign	A freestanding sign (pylon) and a sign located on the building which may not exceed 36 square feet unless the ground	1 per development
Primary sign		1 per principal use

Classification	Size/Placement	Number of Signs
	floor area of the building exceeds 10,000 square feet, in which case there may be 1 additional square foot of sign for every additional 500 square feet of ground floor area thereafter plus such additional square feet as may be permitted in Subsection <b>D(2)</b>	
Secondary sign	To be determined by the development plan review	
<b>Class D: Office Park and Industrial</b>		
Freestanding sign	A free standing sign (pylon) and a sign located on the building which may not exceed 36 square feet unless the ground floor area of the building exceeds 10,000 square feet, in which case there may be 1 additional square foot of sign for every additional 500 square feet of ground floor area thereafter	1 per principal use
Primary sign		1 per principal use
<b>Class D: Floodplain</b>	All signs are governed by the underlying district(s)	
<b>Class D: Water Supply Protection</b>	All signs are governed by the underlying district(s)	
(2) All signs 20 feet from the right-of-way may be a maximum of 36 square feet plus two square feet for each additional 20 feet of setback from the right-of-way, but in no case shall be larger than the maximum allowed by other provisions of this section.		
E. Signs permitted in Residence A, Residence B, Outlying and Limited Business/Residential Districts. (Class A). In addition to signs permitted by Subsection <b>B</b> , the following signs are permitted in all residential districts:		
(1) One nonilluminated or indirectly illuminated identification sign for each separate street line of <u>a home occupation per §250-4.2.(4) or</u> an approved special permit use not to exceed nine square feet nor eight feet in height; and further limited as follows: Said sign shall be subject to the applicable side and rear yard requirements for principal buildings and a minimum of 50% of the applicable front yard requirements for principal buildings; the height of such sign shall not be a greater than the distance it is located from any lot line, but in no case greater than eight feet in height; the square foot area of such sign shall not be greater than 1/2 the linear foot distance it is located from any lot line, but in no case greater than nine square feet.		
(2) Other signs shall be limited to directional signs necessary for public safety or convenience and shall be designated and approved as an integral part of the development plan and for an allowable special		

permit use.

F. Signs permitted in nonresidential districts. In addition to signs permitted by Subsection **B**, the following signs are permitted in Commercial, Retail/Commercial and Office Park and Industrial Districts:

- (1) One sign for the purpose of advertising the sale or lease of the premises, which shall not exceed 32 square feet in signboard area.
- (2) One of the signs permitted, per use, in nonresidential districts may be internally illuminated. All internally illuminated signs located within the building but visible from the exterior of the building shall constitute one of the signs permitted.
- (3) Other signs, limited to directional signs necessary for public safety or convenience, may be designated and approved as an integral part of the development plan as approved by the Planning Board.

**(4) One free standing sign that meets the following criteria:**

- (a) The square footage will not exceed twelve square feet (12 ft<sup>2</sup>), with no less than a 1:3 ratio between the perpendicular sides.**
- (b) The sign shall be a minimum of twenty five feet (25) from the front property line and a minimum of twenty (20) feet from the side property line.**
- (c) No sign installed under this provision may be lighted.**

G. Signs subject to development plan review.

- (1) Prior to the granting of a permit by the Building Commissioner for a sign, the Planning Board must approve the following signs subject to applicable submission requirements, contents and guidelines of **§ 250-8.4**, Site plan approval, said determination to be made by the Planning Board:
  - (a) All freestanding signs (pylons), except those permitted in Subsections **B** and **E**.
  - (b) All signs over 36 square feet.
- (2) In addition to the requirements of **§ 250-8.4**, site plan approval, the Planning Board shall approve the location, safety and the design of the sign according to the design regulations adopted by the Lunenburg Planning Board.

H. Prohibited signs. The prohibitions contained in this section shall apply to all signs, all artificial lighting and all districts, regardless of designation.

- (1) No permitted sign, including projecting signs, shall be located in any street right-of-way.
- (2) No sign or advertising device shall be erected, used or maintained which in any way simulates official directional or warning signs erected or maintained by federal, state or Town governments for the protection of the public health and safety.
- (3) No sign or advertising device shall be erected or maintained in such a manner as to obstruct or interfere with the free and clear vision on any street or driveway.
- (4) No sign or advertising device shall be erected or maintained with any lighting or control mechanism which may cause radio or television interference.

- (5) No illuminated sign or lighting device shall be placed or directed on any property in a manner that would permit the light beams and illumination therefrom to be directed or beamed onto a public street or walkway or onto adjoining properties so as to cause glare or reflection that might constitute a traffic hazard or public nuisance.
- (6) No animated sign or advertising device shall be erected.
- (7) No flashing signs or advertising device which creates intermittent or varying light intensity shall be erected.
- (8) No projecting sign shall extend more than 12 inches beyond the building walls or parts thereof, or be less than eight feet above grade, except as otherwise provided in these sign regulations.
- (9) No sign shall be erected on a roof of a structure; however, a sign may be attached to the facade of a building, provided that it does not exceed the allowable height limitations as stated in Subsection C.
- (10) No building or part thereof, such as a gable, roof or wall, shall be outlined by direct illumination for the purpose of commercial advertising.
- (11) No sign shall be attached to or be erected or maintained in such a manner as to obstruct any fire escape, window, door or other building opening used for egress and ingress, ventilation or other fire-fighting purpose.
- (12) No commercial advertising sign shall be allowed, except as otherwise provided in Subsection F hereof.
- (13) No freestanding sign shall be erected to exceed a height of 30 feet.
- (14) Promotional banners shall not be in excess of eight square feet for a special permitted use. No special displays such as flashing signs shall be allowed.
- (15) Signs may not have any moving or animated parts or images, whether caused by machinery, electronics, wind, gas or otherwise, except for clocks, thermometers or cloth flags, the latter of which are moved only by natural wind. Strings of flags or streamers are not permitted, except as provided in Subsection B(3)(c).
- (16) A sign attached to a building shall not:
  - (a) Project more than one foot from the building wall when the building bounds on a lot line.
  - (b) Project into or over the paved portion of a street or a right-of-way.
  - (c) Exceed the height of the building, except as permitted by Subsection H(9).
- (17) All off-premises signs, except for farm stands and signs for agricultural uses in Lunenburg and as in Subsection B(1)(a), are prohibited.

I. Sign condition. All signs are required to be maintained in a safe condition. Any sign deemed not in a safe condition by the Building Commissioner can be required to be repaired or removed at the owner's or occupant's expense.

J. Sign removal.

(1) Any sign or logo erected after adoption of this ordinance which, because of a change in occupancy, ceases to refer to a bona fide business conducted or product sold on the premises shall be removed by the owner or occupant within 60 days from the change of occupancy.

(2) All signs in existence at the time of adoption of this sign bylaw and not conforming to this § **250-6.5** shall be removed within one year after the adoption of this section, unless the sign is otherwise approved by the Building Commissioner after a determination that the sign is safe and in good condition and poses no hazard to traffic or public safety.

K. The following definitions apply to this § **250-6.5**:

**PRINCIPAL USE**

The primary purpose for which a lot or the main building thereon is designed, arranged or intended and for which it is or may be used, occupied or maintained.