



## TOWN OF EASTHAM

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### **TOWN OF EASTHAM PLANNING BOARD PUBLIC HEARING - MARCH 4, 2014 - 5:00 P.M. AGENDA**

1. Opening Statements
2. Public Hearing on Proposed By-Law amendments to the Town of Eastham Sign Code
3. Any other business that may legally come before the Planning Board
4. Adjournment

**The Town of Eastham Planning Board will hold a public hearing at 5:00 p.m. on Monday, March 3, 2014 in the Earle Mountain Room at Town Hall, 2500 State Highway, Eastham, MA 02642, on the Proposed Zoning By-law Amendments to the Town of Eastham Sign Code.**

## **SECTION XVIII – TOWN OF EASTHAM – SIGN CODE**

### **SECTION I – PURPOSE**

This By-law is adopted for the regulation of non-governmental signs, displays, and other advertising devices within the Town of Eastham and is intended to protect public safety by regulating the setback, size and manner of display of any sign to serve the interest of the general public by preserving or enhancing the natural setting and architectural expression which characterizes the community.

### **SECTION II – DEFINITIONS**

As used in this document, the following terms shall have the meanings indicated.

**BANNER** -- A temporary, flexible one- or two-sided sign, generally made of vinyl or fabric, and designed to be hung or suspended.

**BUILDING SIGN** -- A permanent sign attached to a building or roof.

**CONTRACTOR SIGN** – A temporary sign displayed during the active construction identifying on-site indicating a construction industry-related businesses, including but not limited to a trade, professional or service provider.

**DEVELOPER'S SUBDIVISION SIGN** -- A temporary sign displayed while lots are for sale showing the lot plan of a subdivision.

**EVENT**-- Any gathering of a designated and limited duration, for economic, political, recreational, historical, celebratory or other purposes.

**FLAG, COMMERCIAL** – A flexible one or two-sided sign attached to a vertical pole, which announces or advertises a business, service, product or event.

**HOME OCCUPATION SIGN** -- A permanent residential sign advertising a business lawfully operated from a residence by one or more of its residents.

ILLUMINATED SIGN-- A sign illuminated by a light source(s) external or internal to the sign's surfaces.

INFORMATIONAL SIGN -- A non-commercial sign not to exceed 2 square feet in area including but not limited to those offering safety, instructional and public awareness, including, but not limited to, signs with the following or similar messages: Open, Closed, Hours of Operation, Right Turn Only, No Parking, Employee Entrance, Exit, and One-Way.

LADDER SIGN-- A free standing ground-mounted sign with one or more vertical supports and with two or more crosspieces servicing as individual signs, attached in a ladder style supported by a backboard, frame or post.

NAME SIGN -- A sign that is limited to identification of the resident or occupant of a dwelling or the name of the dwelling.

PERMANENT SIGN – All signs other than temporary signs.

PROPERTY IDENTIFICATION SIGN -- A permanent sign displaying only the name of the business or commercial development.

REAL ESTATE SIGN -- A temporary sign which advertises the sale, lease, or rental of real property indicating sale, year-round rental, permitted seasonal rental, open house, or house to be sold or leased, erected by a property owner or licensed Real Estate Broker.

SANDWICH BOARD SIGN -- A self-supporting, temporary double sided sign consisting of two panels that are not parallel but which are connected along one edge and separated along the opposite edge.

SIGN -- An advertising device or insignia, whether lighted or not, free standing or attached to or painted on a structure or other object, designed to identify items for sale, or to advertise a principal use or activity for the property, and used to attract attention to a commercial activity.

FREE STANDING SIGN -- A sign which is supported by one (1) or more uprights or braces that are in or upon the ground, and fully support the sign.-

STREET SIGN -- A sign identifying the name of a private or public way.

SUBDIVISION NAME SIGN -- A sign identifying only the name of a residential subdivision or development.

TEMPORARY SIGN -- A sign meant to be used for a limited period of time or conveying information concerning an event of limited duration.

**WINDOW SIGN** -- A sign placed on or inside or enclosed within a window or door facing the exterior of the building and visible from the exterior, if limited to no more than 30% of the glass area within the frame of display.

**YARD SALE SIGN** -- A temporary sign for occasional sales from a residential property, including, but not limited to, estate and garage sales, held in a residential neighborhood in compliance with town bylaws and regulations.

### **SECTION III – ADMINISTRATION**

**SIGN REGISTRATION** -- All signs lawfully in existence on the effective date of this bylaw, regardless of permit status, must register with the Inspector of Buildings on or before January 1 of the subsequent year.

- A. **NON-CONFORMING SIGNS** -- All signs in existence on the effective date of this bylaw that do not conform to this bylaw must be removed or brought into compliance and permitted by on or before January 1 of the subsequent year.
- B. **APPLICATION PROCESS** -- Application for a permit for a display or sign shall be submitted to the Building Department, on the form provided by the Building Inspector, together with the required fee, and shall be accompanied by a sketch and/or photograph showing the material, design and size, type of lettering, colors, and illumination. The exact location of the sign or display shall be indicated on a plot plan. The written permission of the landowner, if other than the applicant, shall accompany the application, and written permission of any successor owner shall be filed with the Building Department forthwith following any change in ownership.
- C. **APPROVAL OF PERMIT** -- Upon receipt of an application, the Building Inspector shall review the application and may issue or deny a permit in accordance with this Bylaw.
- D. **RECORD KEEPING** -- All permits and records of existing signs and displays shall be maintained as public records by the Building Department and shall be available for public inspection during normal business hours.

### **SECTION IV – GENERAL REGULATIONS**

- A. **SIGN MAINTENANCE AND CONFORMANCE** -- Any sign, whether authorized by permit or exempt pursuant to Section II. A or B above, shall be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings,

and must be maintained at all times in such safe condition and not constitute a distraction or obstruction that may contribute to traffic accidents.

- B. **SAFETY AND LOCATION STANDARDS FOR SIGNS** – No sign, whether new or existing, shall be permitted or maintained, which, in the opinion of the Inspector of Buildings, causes a sight, traffic, health or welfare hazard or results in a nuisance due to its illumination, placement, display, or manner of construction. All components of the signs must be set back a minimum of two feet setback from any property line.
- C. **EXTERIOR DISPLAY** - Exterior display of devices or objects for sale or for the promotion of the business other than during business hours is prohibited, unless authorized by a Site Plan Special Permit from the Planning Board pursuant to Section XIII.—

Exterior display limited to business hours shall not require a Special Permit, provided no outside display or supporting racks or structures remain at the close of business each day.

All exterior display must comply with the following standards:

- a. **Setback:** Merchandise and other items shall be placed a minimum of 15 feet from all property lines.
  - b. **Height:** No element of an exterior display shall exceed six (6) feet in height.
  - c. **Internal Placement:** No element of an exterior display shall be placed so as to obstruct safe entry, egress or sight lines to, from or within the property, nor obstruct the flow of vehicular or pedestrian traffic within or adjacent to the property.
  - d. **Displays shall not be placed in any area of required parking or landscaping or be arranged so as to reduce the availability of or access to any required parking space or cause damage to any required landscaping area.**
- E. **PERMANENT SIGN** -- Signs must be supported by a frame or post erected for that purpose, and such supports shall not be included in the calculation of the maximum total square footage for a permanent sign.
- F. **ADVERTISING FLAGS** -- Permanent advertising flags will be considered signs and will be included when calculating the total square footage of signage permitted within a given district.
- G. **STREET SIGNS** – Private street name signs shall be placed in a position clearly visible from the intersecting street and in a position that will not interfere with traffic. The size

and location of the street sign shall be approved by the Department of Public Works, and shall comply with the Mass Highway Standards Manual.

- H. LADDER SIGNS -- Regardless of the number of names on the sign, the sign shall be considered as one sign. Ladder signs shall comply with the size regulations for the zoning district in which the sign is erected.
- I. TEMPORARY NON-COMMERCIAL SIGNS -- Temporary signs and banners advertising upcoming public events of a civic, philanthropic, educational, charitable or religious nature, or events of a not for profit nature are allowed in all districts, subject to compliance with the following standards:—
  - 1. The organization or individual must obtain a temporary sign permit from the Building Department.
  - 2. The organization or individual must have written permission of the owner of the land on which the sign or banner is to be placed, and, in the case of such sign on Town-owned land, permission must be obtained from the Board of Selectmen.
  - 3. Ground-mounted signs may not exceed eight (8) square feet per side, excluding the supporting frame, with the overall height not to exceed five (5) feet. Banners may not exceed three (3) feet in height or ten (10) feet in width.
  - 4. Signs and banners shall not be displayed earlier than ten (10) days prior to the event and shall be removed no later than twenty-four (24) hours after the event has occurred, except this time period for removal may be extended to forty-eight (48) hours if the day following an event is Sunday or a holiday.
  - 5. No more than two (2) signs and/or banners advertising the same public event shall be allowed throughout the Town.
  - 6. No more than six (6) Temporary Event signs per year are allowed per organization unless permitted by the Board of Selectmen.
- J. REAL ESTATE SIGNS, BUILDING AND PROPERTY RENTAL SIGNS, AND CONTRACTOR SIGNS – The following conditions shall apply:
  - 1. Properties advertised for rent must have a valid rental certificate.
  - 2. Dimensions are limited to eight (8) SF maximum, per side.
  - 3. Sign must only be displayed on the actual individual lot for sale or rent.

4. No more than one (1) real estate sign per house or lot which is for sale.
5. Only free-standing signs shall be permitted.
6. "Open house" signs may be placed at major intersections and on the property for sale and shall be removed at the end of each day.
7. All real estate signs, including "Sold" signs, shall be removed within twenty-four (24) hours after conveyance of the property.
8. Contractor signs shall be removed within twenty-four (24) hours of completion of work or issuance of a Certificate of Occupancy.
9. No fees are required.

**LIGHTING** – All lighting and related fixtures, regardless of their intended use or mounting configuration, shall be fully shielded and directed only at the sign(s). Signs may be up-lit to a limited extent, provided, however, no glare or light trespass is thereby caused.

## **SECTION V – PROHIBITIONS**

The following shall be prohibited:

- A. Any sign affixed to a utility pole, to a tree or other natural feature.
- B. Illuminated signs that, in the opinion of the Building Inspector, will distract or conflict with the ability to see traffic lights or cause hazardous conditions.
- C. Flashing, rotating, oscillating signs, or signs with electronically controlled, changing messages or displays.
- D. Signs or banners placed upon sidewalks if they obscure the visibility of vehicular traffic or interfere with pedestrian traffic.
- E. Human signs or people carrying or wearing signs.
- F. Any other sign or display not expressly permitted is prohibited under this By-law.

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## SECTION VII – TABLE OF ALLOWED SIGNS BY DISTRICT

### District A Residential One and Two Family Dwellings

	<u>TYPE OF SIGN</u>	<u>SIZE</u> ( <u>MAXIMUM</u> )	<u>DURATION</u>	<u>COMMENTS</u>
A-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
A-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
A-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
A-4	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
A-5	Residential Name Sign	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

### District B Marina Related

	<u>TYPE OF SIGN</u>	<u>SIZE</u> ( <u>MAXIMUM</u> )	<u>DURATION</u>	<u>COMMENTS</u>
B-1	Ladder Sign	3' W x 8' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
B-2	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
B-3	Free Standing Sign (only for a single business on a property)	30 SF per side	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
B-4	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

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### District C Industrial District

<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
C-1 Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner.
C-2 Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
C-3 Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
C-4 Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
C-5 Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

### District D Retail Sales and Service

<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
D-1 Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
D-2 Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
D-3 Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
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D-5	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
D-6	Sandwich Board Sign	30" W x 42" H per side	Temporary October 16 to May 14	One sign allowed per month for 2 weeks surrounding the event with permit issued by Building Department
D-7	Free Standing Signs (only for a single business on a property)	60 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
D-8	Building Sign	36 SF per business, one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 36 SF.

### **District E Limited Business with Residential Areas**

	<u><b>TYPE OF SIGN</b></u>	<u><b>SIZE</b></u> <u><b>(MAXIMUM)</b></u>	<u><b>DURATION</b></u>	<u><b>COMMENTS</b></u>
E-1	Ladder Sign	4' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 4' x 2', per side; each business no more than 4 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
E-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
E-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
E-4	Developer's Subdivision Sign	12 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
E-5	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided
E-6	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
E-7	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
E-8	Building Sign	24 SF per business; one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 24 SF.

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**District F Seashore District**

<u>TYPE OF SIGN</u>	<u>SIZE</u> ( <u>MAXIMUM</u> )	<u>DURATION</u>	<u>COMMENTS</u>
F-1 Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
F-2 Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
F-3 Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

**District G Water Resource Protection District**

<u>TYPE OF SIGN</u>	<u>SIZE</u> ( <u>MAXIMUM</u> )	<u>DURATION</u>	<u>COMMENTS</u>
G-1 Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
G-2 Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
G-3 Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
G-4 Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

**District H Wellfield Protection District**

<u>TYPE OF SIGN</u>	<u>SIZE</u> ( <u>MAXIMUM</u> )	<u>DURATION</u>	<u>COMMENTS</u>
H-1 Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
H-2 Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
H-3 Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
H-4 Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided