

## **SECTION XXIIA. SIGNS AND IDENTIFICATION DEVICES.**

### **A. PURPOSE.**

This section is adopted by the Town of Wellesley for the regulation and restriction of signs and other identification devices within the Town

to promote the public safety and convenience of the streets and roads, sidewalks and other pedestrian spaces, public property and private property within public view,

to preserve for the present and future inhabitants the natural, architectural and historical assets and other qualities which distinguish the Town as a highly desirable residential community,

to protect business viability, economic opportunity, property values, educational values, aesthetic integrity, village character, creativity and community appearance by exercising prudent control, and

to encourage compatibility and harmony with surrounding buildings, land and land uses.

### **B. DEFINITIONS.**

As used herein this SECTION XXIIA. the following words and terms shall have and include the following respective meanings:

Awning Sign - Any and every sign displayed on an awning or canopy. An Awning or Canopy is any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes.

Banner - Any and every sign whatever the nature of the material or manner of composition, message, or design, frequently displayed on a pole or staff which can be free standing or attached to a building or structure, and temporary or removable in nature. Official flags of governmental jurisdictions properly displayed shall not be considered as banners or otherwise considered as signs for the purposes of this Zoning Bylaw.

Business Establishment - Each separate place of business whether or not consisting of one or more buildings.

Facade of the Business Establishment - That portion of the building wall facing a street or containing a public entrance, which corresponds to the height and width of the interior space rented or owned by the tenant of the business establishment.

Height - The maximum vertical distance measured from the finished grade to the highest point of the sign or its supporting structure, whichever is higher.

Internally Illuminated Sign - Each and every sign which utilizes translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through.

Moving Signs - Any and every sign any part of which moves, is designed to move, or to be moved, by any means.

Non-Conforming Sign - Any non-conforming sign legally erected prior to the adoption of this section, or any amendment thereof.

Roof Sign - Any and every sign located above, or projecting above, the lowest point of the eave or the top of a parapet wall of any building, or which is painted or otherwise attached or affixed to a roof.

Sign - Any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, persons, products, businesses or activities, or that conveys or is intended to convey any message whatever the nature of the material and manner of composition or construction. (Historical date plaques and markers approved by the Historical Commission and flags and insignia of governmental jurisdictions shall not be considered signs except when displayed for the purpose of commercial promotion.)

Standing Sign - Any and every free standing sign erected on or affixed to the land and includes any and every sign that is not attached to a building.

Temporary Signs - Any and every sign which by its design and/or use is temporary in nature, frequently composed of paper, posterboard and/or cardboard or other material attached so as to be visible through windows and glass doors or otherwise displayed on a property, typically containing messages relative to sale, lease, rental or construction of property, garage or yard sales and similar occasional uses, special sales, bazaars, dinners or other events.

Traffic Signs - Any sign limited solely to directing traffic within or setting out restrictions on the use of parking areas.

Trailer or Vehicle Signs - For the purposes of this Sign Bylaw a vehicle, motor vehicle or self-propelled vehicle shall be considered and regulated as a sign when or under such circumstances any such vehicle is not engaged in the usual business or work of the owner or lessee but is used merely or mainly for advertising purposes.

Wall Sign - Any and every sign attached to a building and not considered to be a roof sign or a window sign.

Window Sign - Any and every sign consisting of individual letters or graphics painted or otherwise similarly affixed directly to the glass surface of a window or door and designed to be visible from the outside of any building.

## C. GENERAL PROVISIONS.

Signs shall relate to:

- the context of the building facade,
- buildings in the immediate vicinity of the sign,
- the basic pattern of the street front to which the sign is oriented, and
- the size, brightness, style, height and colors of other permanent structures and elements in the immediate vicinity.

Signs shall be sized and located so as to avoid obscuring existing architectural features such as columns, sill lines, roof eaves and cornices. Signs shall be placed within the area of a building signband wherever one exists.

The sign materials, colors and lettering shall reflect the character of the building.

Maximum allowable sign dimensions per zoning district are detailed in part D. MAXIMUM ALLOWABLE SIGN DIMENSIONS.

### 1. Awning Signs

- a. The following provisions shall apply to all awning signs:
  - 1) Awning signs may only be located at the first floor level and must be painted on or attached flat against the surface of the awning or canopy and shall not extend beyond the valance or any other part of the awning or canopy nor be attached to or displayed on the sides or underside;
  - 2) The area of an awning sign shall not exceed 25% of the surface area of the awning or canopy eligible for placement of signs;
  - 3) Awning signs shall not be back lit or internally illuminated; and
  - 4) Awning signs shall not be used in combination with wall signs except as provided below.

b. An awning sign which:

- 1) consists of letters only, not more than eight inches (8") in height and includes no other form of graphic, logo or symbol; and
- 2) is located only on the valance of the awning or canopy and no other sign, graphic, logo or symbol is displayed on the awning or canopy; and
- 3) does not occupy more than 50% of the horizontal length of the valance of the awning or canopy,

shall not be subject to the limitations of C. General Provisions, paragraph 14. Maximum Number of Signs Allowed, paragraph 16. Maximum Area of Signs Allowed, and paragraph 1., a., 4) use in combination with wall signs, of this Section.

## 2. Banners

A banner may be placed above or across a public or private street or way with the prior written permission of the Board of Selectmen upon such terms and conditions as it shall determine and in which case it shall not be subject to the limitations of C. General Provisions, paragraph 14. Maximum Number of Signs Allowed, and paragraph 16. Maximum Area of Signs Allowed. Other banners shall be subject to the limitations of C. General Provisions, paragraph 8. Temporary Signs of this Section.

## 3. Illumination of Signs

Illumination shall be by white, steady, stationary light shielded and directed solely (or by silhouette) at the sign. The foregoing is applicable to signs exterior to a building and to permanent interior signs designed to be visible through a door or window. No sign may utilize translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through. No sign shall be illuminated except while the business establishment or office is open to the public. No illumination shall be permitted which directs light onto any portion of any street or residential premises.

## 4. Moving Signs

No moving sign shall be erected or maintained in any district.

## 5. Non-Conforming Signs

Any non-conforming sign may continue to be maintained but shall not be enlarged, reworded redesigned or altered in any way unless it is brought into conformity. Any

such sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed 35 percent of the replacement value of the sign at the time of the destruction or damage, shall not be repaired or rebuilt or altered unless in conformity with this section.

The exemption herein granted shall terminate with respect to any sign which:

- a. shall have been abandoned; or
- b. advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises; or
- c. shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Inspector of Buildings.

#### 6. Roof Signs

No sign shall be erected or maintained on the roof of any building or structure in any district.

#### 7. Standing Signs

Standing Signs shall have a minimum setback of 15 feet which shall be measured to the nearest property boundary line whether or not said line abuts a public or private street or way. The standing sign shall be located on the same lot with the principal building. This section shall not exempt signs from the corner clearance requirements contained within the Town Bylaw.

#### 8. Temporary Signs

Temporary signs shall be removed promptly after the sale, event or reason for the sign message has been concluded. Temporary signs shall not be maintained for more than a 30 day period, except as may be otherwise specifically provided below, as determined by the Inspector of Buildings, unless proper sign permits have been obtained.

A temporary sign erected for the purpose of the sale, lease, rental or construction of real estate is not subject to the 30 day display limitation but shall be removed promptly after such sale, lease, rental or construction has been effected or completed. Temporary signs pertaining to construction shall not be erected prior to the commencement of work.

Temporary signs which indicate garage or yard sales and similar occasional uses shall comply with the special regulations, adopted by the Board of Selectmen, governing such events and shall be removed immediately after the event.

Temporary signs advertising special sales, bazaars, dinners or other events shall not require a permit or a special permit.

#### 9. Traffic Signs

The regulations contained herein shall not apply to traffic signs not exceeding four square feet in area.

#### 10. Wall Signs

A wall sign shall be parallel to or perpendicular to a wall of the building and shall not project beyond the face of any other wall of the building, or above the top of the wall to which attached. A wall sign shall not project more than one foot, in the case of a sign parallel to the wall, or four feet in the case of a sign perpendicular to the wall, from the face of the wall to which attached, provided that in no case shall a perpendicular sign project into, on or over a public sidewalk, street or way. Any pre-existing non-conforming sign which projects into, on or over a public sidewalk, street or way shall be subject to the provisions of the State Building Code regulating signs projecting into, on over a public sidewalk, street or way and shall be subject to bonding and/or insurance requirements as determined by the Board of Selectmen. A sign consisting of a panel or other device hung or otherwise displayed to be viewed primarily from the outside through a window or door of any building shall be considered a wall sign. The area of any such sign shall be included in the calculation of the total allowable sign area.

#### 11. Sign Permits

The Design Review Board shall review requests for sign permits submitted and shall, within 21 days of the receipt of the submission materials transmit its advisory recommendations regarding the design of the sign to the Inspector of Buildings and the applicant. No sign permit shall be issued by the Inspector of Buildings within this 21 day period, unless said recommendations have been received. If the advisory recommendations of the Design Review Board are not transmitted within the 21 day period the Inspector of Buildings may issue the sign permit. No sign shall be erected or placed prior to the issuance of a sign permit by the Inspector of Buildings.

#### 12. Special Permits for Signs

The Special Permit Granting Authority shall consider requests for special permits in accordance with this SECTION XXIIA. and SECTION XXV. of this Zoning Bylaw. The Special Permit Granting Authority may grant a Special Permit for a sign not meeting limitations of sign Height, Maximum Number of Signs Allowed, Illumination of Signs, Maximum Area of Signs Allowed, and minimum setback, provided however, that the sign is otherwise in compliance with the provisions of this Section and provided further that:

- a. Sign scale is determined to be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures.
- b. Sign size, shape, and placement serves to define or enhance architectural elements of the building such as columns, sill lines, cornices, and roof edges, and do not unreasonably interrupt, obscure, or hide them.
- c. Sign design is in harmony with other signage on the same or adjacent structures, and provides reasonable continuity in mounting location and height, proportions and materials.
- d. Sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use.
- e. Sign size, location, design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic.

The Design Review Board shall make a report to the Special Permit Granting Authority giving its recommendations regarding compliance with the above criteria.

An unfavorable report of the Design Review Board shall indicate which of the above criteria were not met and shall state what modifications to the sign or signs could be made to render a favorable report.

Failure of the Design Review Board to make this report within 21 days from the date of submission of application materials to the Design Review Board shall be deemed by the Special Permit Granting Authority to constitute a favorable report.

In no case, however, shall approval be granted for:

- 1) A sign which uses more than two colors, with black and white considered as colors, if internally illuminated;
- 2) A wall sign which exceeds in height the top of the wall;
- 3) A sign in a Residential District;
- 4) A standing sign in Districts other than Residential Districts which exceeds in height

10 feet in Districts fronting on streets other than Worcester Street,

20 feet in Districts fronting on Worcester Street, or

exceeds in area

50 feet in Districts fronting on streets other than Worcester Street,

100 feet in Districts fronting on Worcester Street, or is closer to the nearest property boundary line than

5 feet in Districts fronting on streets other than Worcester Street, or

10 feet in Districts fronting on Worcester Street;

- 5) A wall sign in Districts other than Residential Districts which exceeds in area

50 square feet in Office Districts,

75 square feet in Districts other than Office Districts fronting on streets other than Worcester Street, or

100 square feet in Districts other than Office Districts fronting on Worcester Street.

### 13. Construction and Maintenance

No sign shall be painted or posted directly on the exterior surface of any wall. All signs must be painted, posted or otherwise securely attached to a substantial intermediary removable surface which shall be securely attached to the building. The foregoing, however, shall not prevent installation of a sign consisting of individual letters or devices securely attached to the exterior wall of the building.

The material and construction of any sign and intermediary surface and the manner of attaching the sign to the intermediary surface and the intermediary surface to the wall of the building shall be in accordance with applicable provisions of the State Building Code and with the reasonable requirements of the Inspector of Buildings. All signs, together with their structural elements, shall be kept in good repair and in a proper state of preservation to the reasonable satisfaction of the Inspector of Buildings. The Inspector of Buildings may order the removal of any sign that is not maintained in accordance with the provisions of this Zoning Bylaw.

### 14. Maximum Number of Signs Allowed

Unless otherwise provided herein there shall be not more than two of the four following types of signs: wall, window, standing, or awning for each business establishment, except that if a business establishment has more than one public entrance at street level there may be an additional sign, which shall not exceed 25 square feet or 10% of the facade of the business establishment whichever is less,

attached to the wall, in which such entrance is located and at each such entrance, other than the wall to which the principal sign is attached. If a business establishment consists of more than one building, a secondary sign, not exceeding 25 square feet or 10% of the facade of the business establishment whichever is less, may be affixed to a wall of each such building, not including the building to which the principal sign is attached. In addition to the foregoing sign or signs, one directory of the business establishments occupying a building may be attached to the exterior wall of the building at each public entrance to the building. Such directory shall not exceed an area determined on the basis on one square foot for each establishment occupying the building or six square feet in total area, whichever is less.

15. Gasoline Filling Stations and Garages

Gasoline filling stations and garages may, if they elect to do so, divide the principal sign area, to which they are entitled into separate signs attached to and parallel to the wall to which the principal sign may be attached and indicating the separate operations or departments of the business, provided, however, that the total size of the separate signs shall not exceed the maximum size permitted under this section for a single exterior sign on such wall. In addition, one standing sign, indicating the company whose gasoline is being sold may be erected of such type, in such location, and in such manner as hereinabove provided. Signs displayed on structural canopies over gasoline pumps or gasoline pump islands shall be regulated as wall signs. On commercially zoned lots fronting on, and having primary vehicular access directly from Worcester Street, the allowed sign area may be divided between a wall sign and a standing sign pursuant to the issuance of a sign permit, provided the aggregate total maximum sign area shall not exceed 100 square feet, and provided the signs are otherwise in compliance with the provisions of this Section.

16. Maximum Area of Signs Allowed

For purposes of determining the maximum size limitations, any intermediary removable surface to which a sign is attached shall be deemed part of the sign; and any sign composed of separate letters, numbers or symbols cut into or attached to a wall or painted on or otherwise attached to an awning, canopy or window shall be deemed to occupy the entire area within a single continuous perimeter enclosing the extreme limits of the sign, including any structural elements. In determining the permissible sign area of a two sided sign, such as a standing sign or a projecting wall sign, both sides of the sign shall be considered.

The sum of the areas of wall, window and awning signs of a business in the aggregate shall not exceed the lesser of the following two amounts:

- a. 10% of the facade of the business establishment;
- b. 50 square feet in Districts fronting on streets other than Worcester Street, or  
75 square feet in Districts fronting on Worcester Street.

17. Lettering Height

The size of the letters shall be in proportion both to the sign and to the building. In addition, size of letters on secondary signs shall be proportionately smaller than the size of letters on a primary sign.

Maximum letter height dimensions are set forth in SECTION XXIIA.D. MAXIMUM ALLOWABLE SIGN DIMENSIONS.

D. MAXIMUM ALLOWABLE SIGN DIMENSIONS.

Where more than one of the allowed sign types is proposed, the aggregate area of all signs shall be considered. In these cases, letter height and sign area may have to be reduced as appropriate to meet the limitations of subparagraph 16 above and the following table. Where only one sign is proposed on a building or lot, it shall not exceed the maximum allowable area shown in the following table.

RESIDENTIAL - Single Residence, Single Residence A, General Residence, General Residence A.

Sign Type	Height	Area	Number	Letter Height
Standing or wall	4 ft.	1 sq. ft.	1 per lot	appropriate height to be placed in 1 sq. ft.area.
Temporary	6 ft.	6 sq. ft.	1 per lot	N/A

OFFICE DISTRICTS - Administrative and Professional, Limited Business.

Sign Type	Height	Area	Number	Letter Height
Standing	6 ft.	15 sq. ft.	1 per building	14 inches
Wall	15 ft.	15 sq. ft.	1 per building	14 inches *
Temporary	15 ft.	25 sq. ft.	1 per lot	N/A

COMMERCIAL DISTRICTS - Business, Business A, Industrial, Industrial A, Lower Falls Village Commercial.

A. Commercial Districts Fronting Worcester Street.

Sign Type	Height	Area	Number	Letter Height
Standing	10 ft.	50 sq. ft.	1 per lot	18 inches
Wall	20 ft.	75 sq. ft. **	1 per business	18 inches ***
Window	N/A	10 sq. ft. ****	1 per business	8 inches
Awning	N/A	25% of awning or canopy **	1 per business	8 inches
Temporary window	N/A	25% of window	1 per business	8 inches
Temporary	15 ft.	25 sq. ft.	1 per lot	N/A

B. Commercial Districts Fronting Streets Other Than Worcester Street.

Sign Type	Height	Area	Number	Letter Height
Standing	6 ft.	25 sq. ft.	1 per lot	14 inches
Wall	20 ft.	50 sq. ft. **	1 per business	14 inches
Window	N/A	10 sq. ft. ****	1 per business	8 inches
Awning	N/A	25 % of awning or canopy **	1 per business	8 inches
Temporary window *****	N/A	25 % of window		8 inches
Temporary	N/A	12 sq. ft.	1 per lot	N/A.

ALL OTHER DISTRICTS

Sign Type	Height	Area	Number	Letter Height
Standing	4 ft.	10 sq. ft.	1 per lot	appropriate height to be placed in 10 sq. ft. area.
Wall	15 ft.	10 sq. ft.	1 per building	appropriate height to be placed in 10 sq. ft. area.
Temporary	6 ft.	12 sq. ft.	1 per lot	N/A

\* When applied directly to a building, without any existing sign-band, maximum letter height shall be 16”.

\*\* or 10% of the total area of the facade of the business establishment whichever is less.

\*\*\* When applied directly to a building without any existing sign-band, maximum letter height shall be 20" high.

\*\*\*\* or 10 % of the total area of exterior windows of the business establishment excluding doors whichever is less.

\*\*\*\*\* Paper posterboard only. Such signs shall not be placed on any window with a permanent window sign.