



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice March 4, 2019

The Arlington Redevelopment Board will meet Monday, March 4, 2019 at 7:30 PM in the **Senior Center, Main Room, 1st Floor, 27 Maple Street, Arlington, MA 02476**

1. Public Hearing, 2019 Annual Town Meeting

7:30 p.m.- 9:50
p.m.

Article 17: Zoning Bylaw Amendment/Sign Regulations

To see if the Town will vote to amend the Zoning Bylaw to update the sign regulations in its entirety by; amending SECTION 2 DEFINITIONS to remove and replace the definitions associated with signs, and amending SECTION 6.2 SIGNS to remove and replace the sign regulations in its entirety; or take any action related thereto.

Article 18: Zoning Bylaw Amendment/Floodplain District

To see if the Town will vote to amend the Zoning Bylaw to update the Floodplain District regulations by amending SECTION 5.7 FLOODPLAIN DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.

Article 19: Zoning Bylaw Amendment/Inland Wetland District

To see if the Town will vote to amend the Zoning Bylaw to streamline and update the Inland Wetland District regulations by amending SECTION 5.8 INLAND WETLAND DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.

Article 20: Zoning Bylaw Amendment/Review of Religious and Educational Uses

To see if the Town will vote to amend the Zoning Bylaw to clarify the process by which the Town reviews religious and educational uses by; 1. Amending SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to remove paragraph J referring to religious and educational uses; 2. Adding a new SECTION 3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW that codifies an administrative review process that is consistent with M.G.L. Chapter 40A, Section 3; 3. Amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to clarify notes which refer to educational and religious uses; 4. Amending SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to clarify notes which refer to educational and religious uses; and 5. Amending SECTION 5.6.3. USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS to clarify notes which refer to educational and religious uses; or take any action related thereto.

Article 22: Zoning Bylaw Amendment/Correcting Citation Errors

To see if the Town will vote to amend the Zoning Bylaw to correct section references and other typographical errors in; 1. Correcting reference to Section 5.5 in SECTION 3.2.2. POWERS; 2. Correcting reference to Section 5 in SECTION 3.3.4. SPECIAL PERMIT CONDITIONS; 3. Correcting references to Section 8.13 and Section 10.11 in SECTION 3.4.4. ENVIRONMENTAL DESIGN REVIEW STANDARDS; 4. Correcting reference to Section 3.05 in SECTION 5.8.3. APPLICABILITY; and 5. Correcting reference to Section 9.06 in SECTION 5.8.4. PERMITTED USES; or take any action related thereto.

- A brief introductory presentation will be provided for each article
- Board members and members of the public will be provided time to ask questions and comment for each article

2. Organizational meeting – ARB Rules and Regulations Rule 2 - Board Officers

9:50 p.m.- Board will elect a Chairperson and a Vice Chairperson
10:00 p.m.

3. Adjourn

10:00 p.m. - Adjourn



Town of Arlington, Massachusetts

Public Hearing, 2019 Annual Town Meeting

Summary:

7:30 p.m.- 9:50 p.m. Article 17: Zoning Bylaw Amendment/Sign Regulations

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ATTACHMENTS:

Type	File Name	Description
Reference Material	Agenda_Item_1_-_ARB_Presentation_on_Articles_18_19_20_22.pdf	ARB Presentation on Articles 18 18 20 22
Reference Material	Agenda_Item_1_-_ATM_2019_Articles_17_18_19_20_22_PH_Draft_with_Track_Changes_02-27-19.pdf	ATM 2019 Articles 17 18 19 20 22 PH Draft with Track Changes 02-27- 19
Reference Material	Agenda_Item_1_-_LWC_Arlington_SignCode_Public_Hearing_Draft_with_Track_Changes_02-27-19.pdf	LWC Arlington Sign Code Public Hearing Draft with Track Changes 02-27- 19
Reference Material	Agenda_Item_1_-_Town_Arlington_Sign_PRD_ARB_Presentation_022719.pdf	Town Arlington Sign PRD ARB Presentation 022719

Public Hearing for Town Meeting Warrant Articles 18, 19, 20, & 22

Arlington Redevelopment Board

March 4, 2019



Article 18: Floodplain District

To see if the Town will vote to amend the Zoning Bylaw to update the Floodplain District regulations by amending SECTION 5.7 FLOODPLAIN DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.



Article 18: Floodplain District

- Identified as inconsistent during recodification
- Corrections include:
 - Correctly referring to the Town of Arlington Bylaw for Wetlands Protection;
 - Making the section internally consistent with the Zoning Bylaw and the ConCom regulations; and
 - Correcting incorrect section references.
- Does not change the review process of the Conservation Commission.



Article 19: Inland Wetland District

To see if the Town will vote to amend the Zoning Bylaw to streamline and update the Inland Wetland District regulations by amending SECTION 5.8 INLAND WETLAND DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.



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Article 20: Review of Religious and Educational Uses

- The “Dover Amendment” refers to certain protections that religious, non-profit educational, and childcare facilities receive under the Massachusetts Zoning Act.
- Not clearly described in the Zoning Bylaw.
- Bylaw appears to indicate that a Special Permit is required or the use is prohibited.



Article 20: Review of Religious and Educational Uses

- Creates a new section that outlines the review process:
 - Review by Building Inspector to determine whether the religious, non-profit educational, or child care facility use is protected by MGL c. 40A, Section 3.
 - If so, Department of Planning and Community Development completes an administrative review applying requirements of MGL c. 40A, Section 3 (i.e., reasonable regulations).



Article 20: Review of Religious and Educational Uses

- Reasonable regulation refers to the bulk and height of the structure and in determining yard sizes, lot area, open space, parking, and building coverage requirements.
- Applicant must establish that the application of a given regulation should be waived, reduced, or altered as unreasonable given the specific facts.
- Department must apply those reasonable regulations in accordance with the goals of the Master Plan or other local plans and policies.



Article 22: Correcting Citation Errors

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1. Correcting reference to Section 5.5 in SECTION 3.2.2. POWERS;
2. Correcting reference to Section 5 in SECTION 3.3.4. SPECIAL PERMIT CONDITIONS;
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Article 22: Correcting Citation Errors

- Five references to the pre-recodification Zoning Bylaw were identified as needing to be corrected.
- Additionally, references to August 28, 1975 need to be updated to refer to the day, not just month and year.



Thank you!





Town of Arlington

ARLINGTON REDEVELOPMENT BOARD

2019 Annual Town Meeting Draft Zoning Bylaw Amendments

Public Hearing Draft with Track Changes

Articles 17, 18, 19, 20, and 22

February 27, 2019

Introduction and Overview

The Arlington Redevelopment Board (ARB) is the Town's Planning Board, under M.G.L. Chapter 41 § 81. There are five members of the Board. Four are appointed by the Town Manager and the fifth is a gubernatorial designee appointed by the Massachusetts Department of Housing and Community Development. The Board serves as the Town's special permit granting authority for projects which require an Environmental Design Review (EDR) as identified in the Zoning Bylaw. The ARB is also the Town's Urban Renewal Authority under M.G.L. Chapter 121; with Town Meeting approval, the Board may hold property to improve and rehabilitate them to meet community development goals.

The members of the ARB are as follows:

Andrew Bunnell, Chair, (Term through 1/31/2020)

Andrew West, Vice Chair, (Term through 6/30/2020)

Eugene Benson (Term through 1/31/2020)

Kin Lau (Term through 1/31/2022)

David Watson (Term through 9/22/2023)

Jennifer Raitt, Director of the Department of Planning and Community Development, serves as Secretary Ex-Officio to the ARB.

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Monday, March 4, 2019, Monday, March 11, 2019, Monday, March 18, 2019, and Monday, March 25, 2019, all beginning at 7:30 P.M.** in the **Central School, 27 Maple Street, Main Room, Arlington, Massachusetts**. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Monday, April 22, 2019.

In addition, informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the Department of Planning and Community Development (DPCD) will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are confirmed.

The draft language of the proposed amendments to the Zoning Bylaw was made available on Thursday, February 14, 2019. Since that date, some revisions have been made, which can be viewed herein in track changes. Copies may be obtained in the Department of Planning and Community Development on the first floor of the Town Hall Annex, Monday through Wednesday, 8:00 a.m. to 4:00 p.m.; Thursday, 8:00 a.m. to 7:00 p.m.; and Friday, 8:00 a.m. to 12:00 p.m. or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov.

Contact Erin Zwirko, Assistant Director of Planning and Community Development, at 781-316-3091 or ezwirko@town.arlington.ma.us with any questions or comments.

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Zoning Bylaw Amendments to the Sign Regulations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 17

ZONING BYLAW AMENDMENT/ SIGN REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw to update the sign regulations in its entirety by; amending SECTION 2 DEFINITIONS to remove and replace the definitions associated with signs, and amending SECTION 6.2 SIGNS to remove and replace the sign regulations in its entirety, or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Please use the following link to access the Article 17 Public Hearing Draft with Track Changes, dated February 27, 2019:

<https://www.arlingtonma.gov/Home/ShowDocument?id=45757>

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 18

ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to update the Floodplain District regulations by amending SECTION 5.7 FLOODPLAIN DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.7 FLOODPLAIN DISTRICT to make minor corrections:

5.7 FLOODPLAIN DISTRICT

5.7.1 Purpose

The purpose of Section 5.7 is to:

- A. Protect the health and safety of the occupants of lands subject to seasonal or periodic flooding in the Mill Brook, Alewife Brook, Mystic River, and Mystic Lakes floodplain, as shown on the zoning overlay map of the Town of Arlington.
- B. Prevent the reduction of the water-carrying capacity of streams, brooks, rivers, and drainage courses by prohibiting the destruction or alteration of their natural character, and by preventing encroachment by future development, both public and private, in the floodway. A floodway includes the normal channel of a river or stream and those portions of the floodplains adjoining the normal channel which are reasonably required to carry off the flood flow.
- C. Preserve the natural flood control characteristics and the water storage capacity of the floodplain.
- D. Protect the public from hazard and loss through the regulation of future development of lands adjoining such watercourses.
- E. Protect the safety and purity of water; control and containment of sewage; safety of gas, electric, fuel, telecommunications, and other utilities from breaking, leaking, short-circuiting, grounding, igniting, electrocuting or any other dangers due to flooding.

5.7.2 Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Arlington designated a Zone A, AE and X on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NDIP). The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Arlington include the following panel numbers: 25017C0412E, 25017C0416E, 25017C0419E, dated June 4, 2010 (Scale 1"=500'). The exact boundaries of the District may be defined by the 1% annual (100 year flood) base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. Said boundary, so determined, shall be presumed accurate. This presumption may be overcome only by credible evidence from a registered professional engineer or other professional competent in such matters. The FIRM and FIS report are incorporated herein by reference and are on file with the Department of Planning and Community Development and Conservation Commission.

5.7.3 Applicability

- A. Any proposed use, structure, development, filling, grading, or excavation within the Floodplain District shall be governed by all regulations of this Section 5.7, G.L. c. 131, § 40, ~~Wetlands~~

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

~~Protection Regulations of the Town Bylaws~~ Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8) ~~and the Town's Wetland Protection Regulations (Regulations) promulgated thereunder~~, Department of Environmental Protection (DEP) 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00, and the section of the State Building Code that addresses floodplain areas, and shall require a building permit. The extent of the Floodplain District shall be determined by the Conservation Commission.

- B. The phrase, "Board of Appeals or Arlington Redevelopment Board, as applicable", shall mean "subject to a special permit from the Board of Appeals or approval from the Arlington Redevelopment Board in the case of activity subject to Section 3.4, Environmental Design Review".

5.7.4 Setback from Open Stream

A building or structure, except for a retaining wall, fence, or bridge, may be set back less than 15 feet by special permit from the Board of Appeals, following consultation with the Arlington Conservation Commission.

5.7.5 Use Regulations

- A. Prohibited Uses. No construction, development, or filling shall be permitted in the regulatory floodway as defined in the Middlesex County FIRMS.
- B. Permitted Uses. The following uses are permitted in the Floodplain District:
- (1) The following outdoor uses shall be permitted as of right provided no buildings or structures are erected:
 - Sales place for flowers as a principal use, garden supplies, agricultural produce, conducted partly or wholly outdoors, commercial greenhouse or garden
 - Farm (except the raising of livestock or poultry, if the farm is on less than five acres of land) or market garden but, unless otherwise exempt under state law, in no case, shall goods or produce be sold that are not the natural products of the premises in question
 - Park, playground, or other outdoor recreational facility not conducted as a private business
 - Country, fishing, tennis, swimming, skating, golf club or other outdoor recreation facility not conducted as a private business
 - Wildlife management areas
 - Foot, bicycle, or horse paths
 - (2) For single-family detached dwellings, two-family dwellings, or duplex dwellings existing on the effective date of this Section is advertised (August 28, 1975), the expansion of these (or their accessory) uses to a maximum of 15% of the lot coverage existing when this section is enacted, provided that such expansions conform to this Section 5 and do not constitute substantial improvement of a structure. Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which exceeds 50% of the actual cash value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. Structures erected or expanded under this Section 5.7 shall use construction materials and utility equipment that are resistant to flood damage, and construction methods and practices that will minimize flood damage.
- C. Special Permit. The following shall require a special permit from the Board of Appeals or Arlington Redevelopment Board, as applicable.

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

- (1) The proposed use, including filling or excavating, when combined with all existing uses, will not increase the water surface in the 1% base flood elevation.
- (2) The proposed use shall comply with the most stringent of the following regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00 and in the ~~Conservation Commission's Wetlands Regulations promulgated under the Arlington Wetlands Bylaw~~ Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8) and the Wetland Protection Regulations (Regulations) promulgated thereunder.
- (3) Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within ~~unnumbered A Zones~~ A Zones where the base flood elevation has not been established.

The provisions of this subsection shall not apply to the reconstruction or repair of a structure unless it constitutes substantial improvements existing prior to August 28, 1975 after a fire or other casualty. However, major repairs shall use construction materials and utility equipment that are resistant to flood damage and construction methods and practices that will minimize flood damage.

- (4) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

5.7.6 Procedures

- A. ~~Application. Applicants for a special permit shall be made to the Board of Appeals or the Arlington Redevelopment Board, as applicable, in accordance with its rules and regulations. The application for a special permit shall be filed in accordance with Section 3.~~
- B. The Board shall hold a public hearing in accordance with Section 3.3 of this Bylaw and G.L. c. 40A, §§ 9 and 11.
- C. ~~The Board shall not take final action on an application for a special permit until it has received a report from the Building Inspector, the Board of Health, the Conservation Commission, Town Engineer, and the Arlington Redevelopment Board (if applicable) or until 35 days have elapsed after receipt of such application and plans without submission of a report.~~
- D. ~~The Board may, as a condition of approval, require that effective notice be given to prospective purchasers, by signs or otherwise, of past flooding of said premises, and the steps undertaken by the petitioner or his successor in title to alleviate the effects of the same.~~
- E. ~~No occupancy permit shall be issued for special permit uses under this Section until the Building Inspector and the Board of Health, the Conservation Commission, Board of Appeals, and Arlington Redevelopment Board have received a certified plan showing the foundation and flood elevations, elevations of the completed construction, and until all requirements of all permits are satisfied.~~

5.7.7 Areas, Open Space, and Yard Regulations

The portion of any lot within the Floodplain District may be used to meet the lot area, open space and yard requirements for the district in which the remainder of the lot is situated.

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

5.7.8 Exemptions

- A. Where a proposed use is determined to fall within the limits of the Floodplain District and the applicant determines that the location is not included in the definition of the Floodplain District, said use may be exempt by the Board of Appeals or Arlington Redevelopment Board, as applicable, from the provisions of this section if the applicant provides sufficient evidence for the applicable Board to determine that the land in question should not be subject to the provisions of this Section.
- B. If it is determined that an area of significant size should no longer be included within the Floodplain District due to a natural or man-made event which has altered the boundary, the floodline determining the boundaries of the Floodplain District may be changed with approval from Town Meeting provided the new floodline to be adopted has been established in accordance with accepted engineering practice and certified by a registered professional engineer.

~~5.7.9 Notification of Alteration~~

~~In a riverine situation, the Director of Planning and Community Development shall notify the following of any alteration or relocation of a watercourse:~~

- ~~• Chief Executive Officers in Adjacent Communities~~
- ~~• NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104~~
- ~~• NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110~~

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 19

ZONING BYLAW AMENDMENT/INLAND WETLAND DISTRICT

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(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.8 INLAND WETLAND DISTRICT to make minor corrections:

5.8 INLAND WETLAND DISTRICT

5.8.1 Purpose

The purpose of Section 5.8 is to:

- A. Preserve and protect the streams, water bodies, and other watercourses, including wetlands, in the Town of Arlington.
- B. Protect the health and safety of persons and property against the hazards of flooding and contamination.
- C. Preserve and maintain the groundwater table for potential water supply purposes.
- D. Protect the community against the detrimental use and development of lands adjoining such watercourses.
- E. Conserve the watershed areas in Arlington for the health, safety, and welfare of the public.

5.8.2 Definition

The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:

- A. All lands within the elevations shown on the Wetland and Floodplain Overlay Map of the Zoning Map and designated as wetlands. These include lakes, ponds and swamps.
- B. All land area along all perennial rivers, brooks, and streams for a horizontal distance of 25200 feet from the center line thereof are included in the Inland Wetland District.
- C. All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the surface for at least 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

5.8.3 Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the ~~Inspector of Buildings~~Building Inspector under Section ~~3-053.1~~3.053.1 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

5.8.4 Permitted Uses

Municipal uses, such as waterworks, pumping stations, and parks, ~~is~~are permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:

- A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section ~~9.068.1.8~~ of this Bylaw.

- B. Dumping, filling, excavating, or transferring of any earth material within the district is prohibited unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw became effective.
- C. No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued.

5.8.5 Procedures

~~Any person(s) desiring such a permit shall submit an application to the ZBA or, in cases subject to Environmental Design Review, to the ARB, which shall comply with the conditions and submittal requirement as listed in the following subsections. Application for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority and G.L. c. 40A, as outlined in Section 3. (Such conditions shall include, where applicable, approval by the Board of Appeals, Arlington Redevelopment Board, Conservation Commission~~ through the Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8) and the Wetland Protection Regulations promulgated thereunder, the Massachusetts Department of Environmental Protection, and/or the Massachusetts Department of ~~Public Works Transportation~~ under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.) ~~The application procedure shall be the same as for special permits. Copies of the application for special permit with accompanying plans shall also be sent to the Inspector of Buildings, Board of Health, the Conservation Commission, Town Engineer, and, if applicable, the ARB for their recommendations as to their approval, disapproval or appropriate recommendations.~~

5.8.6 Development Conditions

- A. For the development of land within the Inland Wetland District, the following conditions shall apply:
 - (1) A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.
 - (2) The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high water table and not subject to periodic flooding.
 - (3) If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

- (4) Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.
- B. The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting or electrocuting; shall not obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase storm water run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.

DRAFT

Zoning Bylaw Amendments to Codify Dover Amendment Reviews

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 20

ZONING BYLAW AMENDMENT/REVIEW OF RELIGIOUS AND EDUCATIONAL USES

To see if the Town will vote to amend the Zoning Bylaw to clarify the process by which the Town reviews religious and educational uses by:

1. Amending SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to remove paragraph J referring to religious and educational uses;
 2. Adding a new SECTION 3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW that codifies an administrative review process that is consistent with M.G.L. Chapter 40A, Section 3;
 3. Amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to clarify notes which refer to educational and religious uses;
 4. Amending SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to clarify notes which refer to educational and religious uses; and
 5. Amending SECTION 5.6.3. USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS to clarify notes which refer to educational and religious uses.
- or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to remove paragraph J referring to religious and educational uses:

~~J. Use of land or structures for religious purposes or for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation; or the use of land or structures for a child care facility; provided, however, as provided and limited by the provisions of G.L. c. 40A, § 3, that the Board's authority shall be limited to reasonable regulation of the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements.~~

Add a new SECTION 3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW that codifies an administrative review process that is consistent with M.G.L. Chapter 40A, Section 3:

3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW

3.5.1 Purposes

The purpose of Section 3.5 is to provide for reasonable regulation of religious, non-profit educational, and child care facilities used primarily for such purposes consistent with G.L. c. 40A, §3. Specifically, reasonable regulation refers to the bulk and height of structures and in determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements. When applying reasonable regulation, the Town shall not unreasonably impede the protected use without appreciably advancing the goals of the Arlington Master Plan or other development plans and policies of the Town.

3.5.2 Procedures

- A. Building Inspector Review: To determine whether a religious, non-profit educational, or child care facility use is protected under G.L. c. 40A, §3, the property owner or agent of an owner

Zoning Bylaw Amendments to Codify Dover Amendment Reviews

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

shall submit to the Building Inspector such information necessary to make the following findings:

- (1) That the applicant has sufficiently demonstrated that the proposed use of the property or structures is for a religious, non-profit educational, or child care purpose, or appropriate combination thereof; and
- (2) That the applicant has sufficiently demonstrated that the proposed use of the property or structure for these purposes is the principal use.

B. Department of Planning and Community Development Review: If the applicant has satisfied the Building Inspector per Section 3.5.2.A., the Building Inspector shall inform the Department of Planning and Community Development ("Department") that a given application is appropriate for administrative review for the purposes set forth in Section 3.5.1. The Department shall apply those requirements allowed by G.L. c. 40A, §3, in a reasonable fashion within the specific context of the proposed project as an administrative permitting process with the following responsibilities:

- (1) The applicant bears the burden of establishing that the application of a given regulation should be waived, reduced, or altered as unreasonable within the specific facts of both the site and the proposed use; and
- (2) The Department bears the burden of applying only those regulations in accordance with the goals of the Arlington Master Plan or other development plans and policies of the Town.

3.5.3 Appeal

An appeal to the Board of Appeals or the Arlington Redevelopment Board may be taken by any person aggrieved due to the determination of the Building Inspector or the Department, as provided in G.L. c. 40A, § 8 and § 15.

Amend SECTION 5.4.3 USE REGULATIONS FOR RESIDENTIAL DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Residential								
Dormitory (Note: permitted See Section 3.5 if use is for educational or religious purposes)			SP	SP	SP	SP	SP	SP
Institutional, Educational								
Community center, youth club, adult education center, or similar facility operated by a non-profit institution (Note: permitted See Section 3.5 if use is for educational or religious purposes.)	SP	SP	SP	SP	SP	SP	SP	SP
Library, museum, or art gallery open to the public and not conducted as a private gainful business. (Note: permitted See Section 3.5 if use is	SP	SP	SP	SP	SP	SP	SP	SP

Zoning Bylaw Amendments to Codify Dover Amendment Reviews

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
for educational or religious purposes.)								

Amend SECTION 5.5.3 USE REGULATIONS FOR BUSINESS DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	B1	B2	B2A	B3	B4	B5
Residential						
Dormitory (Note: permitted See Section 3.5 if use is for educational or religious purposes.)	Y	Y	Y	Y	Y	Y
Institutional, Educational						
Community center, youth club, adult education center, or similar facility operated by a non-profit institution (Note: permitted See Section 3.5 if use is for educational or religious purposes.)	SP	SP		SP		SP
Library, museum, or art gallery open to the public and not conducted as a private gainful business. (Note: permitted See Section 3.5 if use is for educational or religious purposes.)	SP	SP	SP	SP		SP

Amend SECTION 5.6.3 USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	MU	PUD	I	T	OS
Residential					
Dormitory (Note: permitted See Section 3.5 if use is for educational or religious purposes)	SP	SP			
Notes					

^B But permitted by right if accessory to a use exempt under G.L. c. 40A, § 3. See Section 3.5.

Zoning Bylaw Amendments to Correct Citations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 22

ZONING BYLAW AMENDMENT/CORRECTING CITATION ERRORS

To see if the Town will vote to amend the Zoning Bylaw to correct section references and other typographical errors in;

1. Correcting reference to Section 5.5 in SECTION 3.2.2. POWERS;
2. Correcting reference to Section 5 in SECTION 3.3.4. SPECIAL PERMIT CONDITIONS;
3. Correcting references to Section 8.13 and Section 10.11 in SECTION 3.4.4. ENVIRONMENTAL DESIGN REVIEW STANDARDS;
4. Correcting reference to Section 3.05 in SECTION 5.8.3. APPLICABILITY; and
5. Correcting reference to Section 9.06 in SECTION 5.8.4. PERMITTED USES;

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 3.2.2. POWERS to correct a citation:

- C. To hear and decide, in accordance with the provisions of G.L. c. 40A, § 6, applications for special permits to change, alter, or extend lawfully pre-existing non-conforming uses and structures to the extent allowed by Section ~~5-58.1~~.

Amend SECTION 3.3.4.SPECIAL PERMIT CONDITIONS to correct a citation:

- A. Dimensional standards more restrictive than those set forth in Section ~~75~~ of this Bylaw;

Amend SECTION 3.4.4.ENVIRONMENTAL DESIGN REVIEW STANDARDS to correct two citations:

- D. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section ~~8-136.1.12~~ that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.
- E. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

Zoning Bylaw Amendments to Correct Citations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

In accordance with Section ~~10.11, b3.3.4~~, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Amend SECTION 5.8.3. APPLICABILITY to correct a citation:

5.8.3 Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the Inspector of Buildings under Section ~~3.053.1~~ of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

Amend SECTION 5.8.4. PERMITTED USES to correct a citation:

- A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the ZBA or, in cases subject to Environmental Design Review, a Special Permit from the ARB, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section ~~9.06-8.1.8~~ of this Bylaw.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to correct dates:

- C. One exception is made for attached single-family dwellings on Sunnyside Avenue, Gardner Street, Silk Street, Marrigan Street, and Fremont Street. Attached single-family dwellings existing ~~in~~ on August 25, 1975, on these streets are permitted as a right.
- D. In the R0, R1 and R2 districts no new licensed nursing home, rest home, convalescent home facilities shall be constructed except at sites whereon these facilities existed as of August 25, 1975. These existing facilities may be reconstructed to meet code requirements in accordance with a special permit under 3.3 and 3.4.



2019 Annual Town Meeting Draft Zoning Bylaw Amendments

Public Hearing Draft with Track Changes

Article 17

February 27, 2019

SECTION 6. SITE DEVELOPMENT STANDARDS

6.2 SIGNS

6.2.1. General Provisions

- A. Purpose. The purpose of this Section is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements, including the following specific purposes:
- (1) Ensure that all signs are compatible with the unique character and environment of the Town of Arlington, and that they support the desired ambience and development patterns of the various districts, overlay districts, and historic areas within the Town;
 - (2) Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
 - (3) Improve pedestrian and traffic safety by promoting the free flow of traffic and the protection of pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;
 - (4) Prevent property damage, personal injury, and litter caused by signs that are improperly constructed or poorly maintained;
 - (5) Protect property values, the local economy, and quality of life by preserving and enhancing the appearance of the streetscape; and
 - (6) Provide consistent sign design standards that enable the fair and consistent enforcement of these sign regulations.
- B. Authority. This Section is the primary tool for implementing the sign policies of the Town of Arlington and other state and local requirements. Whenever any provision of this Section refers to or cites a section of state law, and that section is later amended or superseded, the Section shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.
- C. Applicability. This Section applies to all signs within the Town of Arlington regardless of their nature or location, unless specifically exempted in Subsection 6.2.1(E).
- (1) Standards for Permanent Signs are found in Section 6.2.5.
 - (2) Standards for Portable Signs and Temporary Signs are found in Section 6.2.6.
 - (3) Standards for signs located in any historic district are regulated pursuant to the Bylaws of the Town of Arlington Title VII, Historic Districts, Article 4, and the Arlington Historic Districts Commission Design Guidelines for Local Historic Districts.

~~(3)~~(4) Standards for signs for home occupations are regulated pursuant to Section 5.9.1.

~~(4)~~(5) Nothing in this Section shall be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings, create a safety hazard by impeding travel on sidewalks, in bike or vehicle lanes, or on trails, or violate any other reasonable time, place, and manner restrictions adopted by the Town of Arlington.

D. Substitutions and Interpretations. This Section is not intended to, and does not, restrict speech on the basis of its content, viewpoint, or message. No part of this Section shall be construed to favor commercial speech over non-commercial speech. A non-commercial message may be substituted for any commercial or non-commercial message displayed on a sign without the need for any approval or sign permit, provided that the sign is otherwise permissible under this Section. To the extent any provision of this Section is ambiguous, the term will be interpreted not to regulate on the basis of the content of the message.

E. Exemptions. The following signs are not regulated under this Section:

(1) Any sign, posting, notice or similar signs placed, installed, or required by law by a town, county, or a federal or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including the following:

- Emergency and warning signs necessary to warn of dangerous and hazardous conditions and that serve to aid public safety or civil defense;
- Traffic signs erected and maintained by an authorized public agency;
- Signs required to be displayed by law, regulation, or ordinance;
- Signs directing the public to points of interest;
- Signs showing the location of public facilities; and
- Numerals and letters identifying an address from the street to facilitate emergency response and compliant with Town requirements.

~~(2)~~ Non-illuminated non-commercial signs on single-family, two-family, and three-family residences and duplexes in residential zoning districts;

~~(2)~~(3) Non-illuminated signs which provide incidental information including, but not limited to credit card acceptance, business hours, open/closed, no soliciting, directions to services and facilities, or menus, provided these signs do not exceed an aggregate of six square feet in sign area;

- ~~(3)~~(4) Building identification signs not exceeding two square ~~foot~~feet in area for residential buildings and four square feet in area for nonresidential and mixed-use buildings;

Building Identification Sign

(See Section 6.2.1(E)(2))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- ~~(4)~~(5) Signs ~~posted on a community bulletin board~~ not exceeding 11 x 17 inches posted on a community bulletin board;
- ~~(5)~~(6) Landmark signs;
- ~~(6)~~(7) Historical plaques and commemorative signs erected and maintained by non-profit organizations, building cornerstones, and date-constructed stones not exceeding four square feet in area;
- ~~(7)~~(8) Signs not readable from the public right-of-way, including:
- Signs or displays located entirely inside of a building and not visible from the building's exterior, such as those for home occupations described in Section 5.9.1;
 - Signs intended to be readable from within a parking area or Town park but not readable beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way; and
 - Signs located within Town of Arlington recreation facilities; and
- ~~(8)~~(9) Any notice as defined in Title V, Article 1 of the Town Bylaws.

~~F. Severability. If any section, sentence, clause, phrase, word, portion, or provision of this Section is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence,~~

~~clause, phrase, word, portion, or provision of this Section which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this Section to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.~~

6.2.2. Procedures

A. Permanent Sign Permits.

- (1) Sign Permit Required. A sign permit is required to erect, install, construct, move, alter, replace, suspend, display, or maintain (i.e., removal of the sign so that structural elements supporting the sign may be maintained) any permanent sign, unless otherwise specified in this Section. Each sign and change of copy (i.e., changing of the face or letters on a sign) requires a separate Sign Permit except ~~that changes to or between non-commercial message do not require a Sign Permit consistent with Section 6.2.5 as allowed in Section 6.2.1(D).~~

- All permanent signs must comply with all applicable requirements and standards established in this Section.
- Any sign not authorized pursuant to this Section is not allowed.

(2) Review and Approval.

- Application Required. An application for a sign permit shall be filed with the Department of Inspectional Services, together with required fees and supporting documentation.
- Review. The Building Inspector shall review all sign permit applications and supporting documentation for compliance with the standards of this Section. The Building Inspector will refer the sign permit application to the Department of Planning and Community Development for review before issuing the sign permit. The Department of Planning and Community Development shall complete a design review and determine whether the application is referred to the Arlington Redevelopment Board.
- Determination. The Building Inspector shall determine whether the sign permit may be issued or if additional information is required from the applicant to complete the permit application. If the sign permit application is denied, the reason shall be stated in writing.
- Building Permit Required. If the Building Inspector determines that that a separate electrical or ~~structure-structural~~ permit is required, the applicant shall be notified. The sign permit shall not be issued until all other required permits have been obtained

B. Temporary Sign Permits.

- (1) **Sign Permit Required.** A temporary sign permit is required to display a temporary wall banner sign and an A-frame sign placed in the public right-of-way. All temporary wall banner signs and A-frame signs must comply with all applicable requirements and standards established in this Section.
- (2) **Duration of Temporary Sign Permit.** A temporary sign permit for a wall banner is valid for 60 days beginning with the date of issuance. There are no time limitations for ~~a~~A-frame signs installed in public right-of-way for which a temporary sign permit is required.
- (3) **Review and Approval.**
 - **Application Required.** An application for a temporary sign permit and any supporting documentation shall be filed by a business owner or a property owner on behalf of the business with the Department of Inspectional Services. No more than one temporary wall banner sign per 150 linear feet of property frontage or part thereof shall be allowed at any one time. The property manager or property owner shall be responsible for determining which of the tenants in a multi-tenant building will be entitled to a temporary wall banner sign in accordance with this Section.
 - **Review.** The Building Inspector shall review the temporary sign permit application for compliance with the standards in Section 6.2.6. The Building Inspector may refer the temporary sign permit application to the Department of Planning and Community Development for review before issuing the sign permit.
 - **Determination.** The Building Inspector shall determine whether the temporary sign permit may be issued or if additional information is required from the applicant to complete the permit application. If the temporary sign permit application is denied, the reason shall be stated in writing.

C. Sign Special Permits.

- (1) A sign special permit may be granted by the Board of Appeals or Arlington Redevelopment Board, as applicable, to allow more than the number of signs allowed under this Section 6.2, or signs of a greater size or in a location other than that specified in this Section 6.2 provided the architecture of the building, the location of the building relative to the street, or the nature of the use being made of the building is such that an additional sign or signs of a larger size should be allowed in the public interest. In no case shall any sign allowed exceed a maximum sign area of four feet times the length of the building frontage.
- (2) An application for a sign special permit shall comply with the submission requirements and procedures in Section 3.3 and Section 3.4 and the rules and

regulations of the Board of Appeals or Arlington Redevelopment Board, as applicable.

- D. Appeals. A decision of the Building Inspector may be appealed by any aggrieved person pursuant to Section 3.1.3.

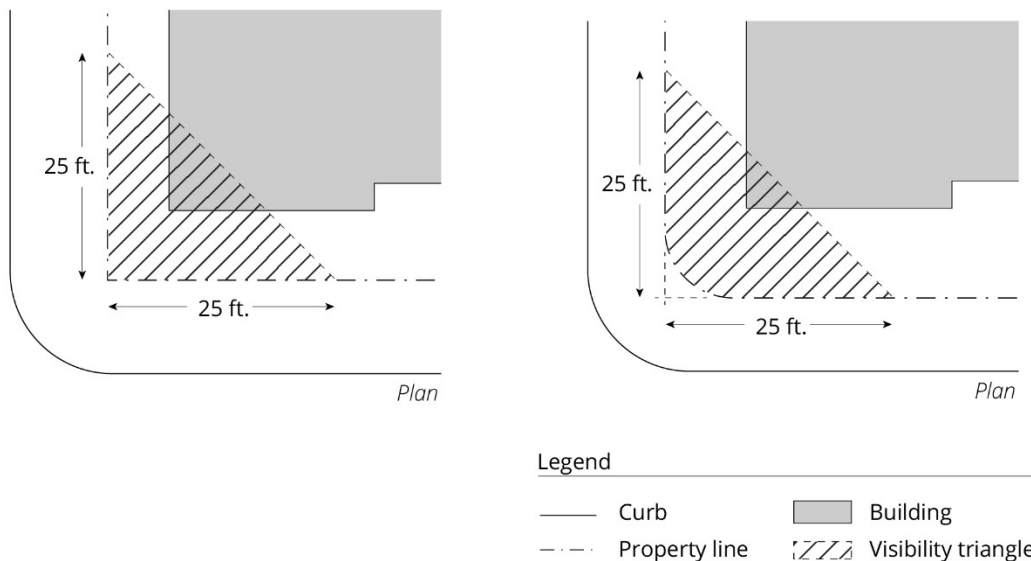
6.2.3. General Restrictions for All Signs

- A. Location Restriction. Except where specifically authorized in this Section, signs may not be placed in the following locations:

- (1) Within, on, or projecting over public property, Town rights-of-way, and the Minuteman Bikeway, or waterways, except signs specifically authorized by this Section 6.2;
- (2) Any location that obstructs the view of any authorized traffic sign, signal, or other traffic control device;
- (3) On property at any corner formed by intersecting streets, within the triangular area formed between the property lines and a diagonal line joining points on the property lines 25 feet from the point of their intersection, or in the case of rounded property line corners, the triangular area between the tangents to the curve at such corner and a diagonal line joining points on the tangents 25 feet from the point of their intersection;

Traffic Visibility at Intersections

(See Section 6.2.3(A)(3))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) Areas allowing for ingress to or egress from any door, window, vent, exit way or fire lane required by the Building Code or Fire Department regulations currently in effect;

- (5) Off the premises of the business to which the commercial advertising sign refers, except as provided in Section 6.2.6;
 - (6) On fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for a manufacturer's or installer's identification, appropriate warning signs and placards, and information required by law;
 - (7) Where they cover the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, or another architectural feature;
 - (8) Tacked, painted, burned, cut, pasted, or otherwise affixed to trees, rocks, light and utility poles, posts, fences, ladders, benches, or similar supports that are visible from a public way except for notices as defined in Title V, Article 1, of the Town Bylaws; and
 - (9) On the roof of a building or structure.
- B. Prohibited Signs. Except as otherwise provided in this Section, the following signs are prohibited and considered illegal:
- (1) Signs that could be confused with any authorized traffic signal or device or that interfere with, obstruct, confuse or mislead traffic;
 - (2) Bandit Signs;
 - (3) Cabinet Signs;
 - (4) Electronic Message Centers or electronic displays;
 - (5) Inflatable balloons, spinners, strings of flags and pennants, feather banners, fixed aerial displays, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means either attached to a sign or to vehicles, structures, poles, trees and other vegetation, or similar support structures, except as allowed in Section 6.2.6;
 - (6) Signs affixed to trucks, automobiles, trailers, or any other vehicle that advertise, identify or provide direction to a use or activity not related to its lawful use for making deliveries, the sale of merchandise, or rendering services from such vehicles;
 - (7) The parking of delivery, sales, or service vehicles in an off-site location, or on-site within a parking lot adjacent to a public street, for the purpose of advertising;
 - (8) Any sign which advertises a business no longer in existence or a product ~~or~~ service no longer being sold;
 - (9) Any portable or temporary sign, other than those signs allowed pursuant to Section 6.2.6; and
 - (10) Any other signs not specifically allowed by the provisions of this Section.

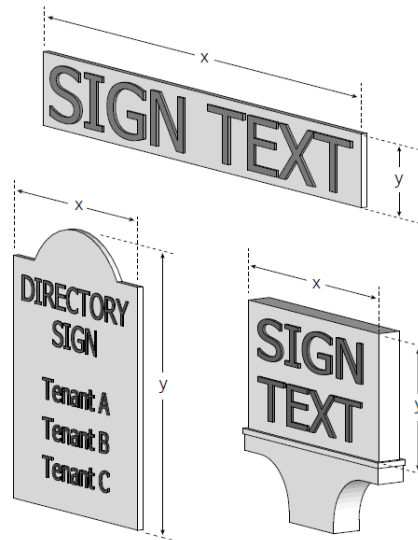
- C. Display Restrictions. The purpose of this Section is to regulate the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mar the natural and architectural aesthetics of the Town of Arlington. Signs with the following display features are prohibited:
- (1) Animated features which rotate, move, or give the appearance of moving by mechanical, wind, or other means. Barber poles no more than three feet in height and 10 inches in diameter, flags, and clocks are excepted from this restriction;
 - (2) Sound, odor, or any particulate matter including, bubbles, smoke, fog, confetti, or ashes;
 - (3) Lighting devices with intermittent, flashing, rotating, blinking or strobe light illumination, animation, motion picture, or laser or motion picture projection, or any lighting effect creating the illusion of motion, as well as laser or hologram lights;
 - (4) Internally illuminated signs with a directly exposed light source, except for neon incorporated into the design of a permanent window sign. See Subsection 6.2.4(C);
 - (5) Surfaces that reflect light by means of a glossy, polished, or mirrored surface; and
 - (6) Strings of lights used in connection with commercial premises, except when used for temporary lighting for ~~holiday~~ decoration, and lights arranged in the shape of a product, arrow, or any commercial message.

6.2.4. General Requirements for All Signs

- A. Sign Message. Any sign may contain, in lieu of any other message or copy, any lawful non-commercial message, so long as the sign complies with the size, height, area, location, and other requirements of this ~~Bylaw~~Section.
- B. Sign Measurement.
 - (1) Sign Area Measurement. Sign area for all sign types is measured as follows:
 - Signs on Background Panel. Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background.

Sign Area for Signs on Background Panel

(See Section 6.2.4(B)(1))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Signs with Individual Letters.** Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.

Sign Area for Signs with Individual Letters

(See Section 6.2.4(B)(1))

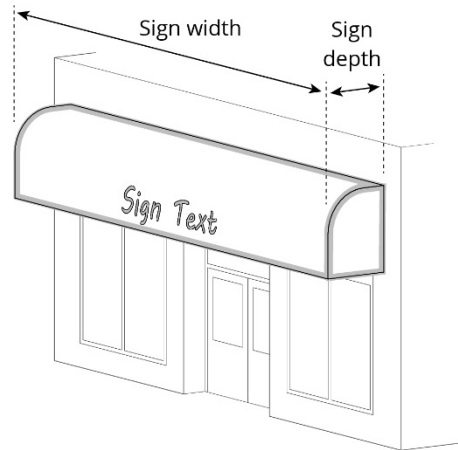


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Signs on Illuminated Surfaces.** Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element, which contains sign copy. Such elements may include lit canopy fascia signs, and/or interior lit awnings.

Sign Area for Signs on Illuminated Surfaces

(See Section 6.2.4(B)(1))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Irregular Shaped Signs.** Sign area for irregular shaped signs is determined by dividing the sign into squares, rectangles, triangles, circles, arcs, or other shapes the area of which is easily calculated.

Sign Area for Irregular Shaped Signs

(See Section 6.2.4(B)(1))

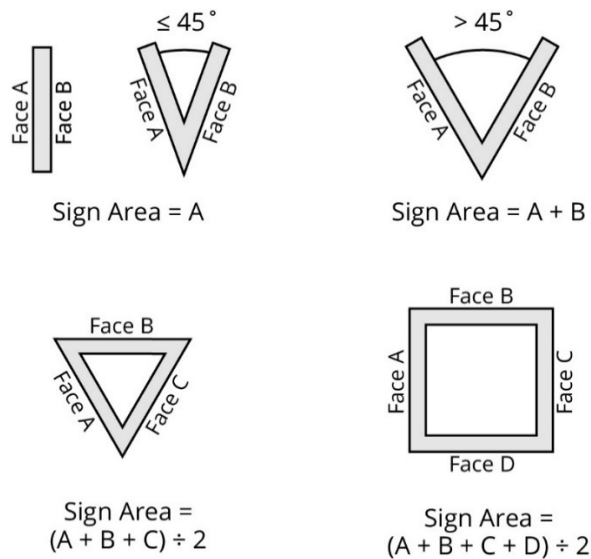


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Multi-Face Signs.** Multi-face signs are measured as follows:
 - Two face signs: If the interior angle between the two sign faces is 45 degrees or less and the sign faces are less than 42 inches apart, the sign area is determined by the measurement of one sign face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.
 - Three or four face signs: The sign area is 50 percent of the sum of the areas of all sign faces.

Sign Area for Multi-Face Signs

(See Section 6.2.4(B)(1))

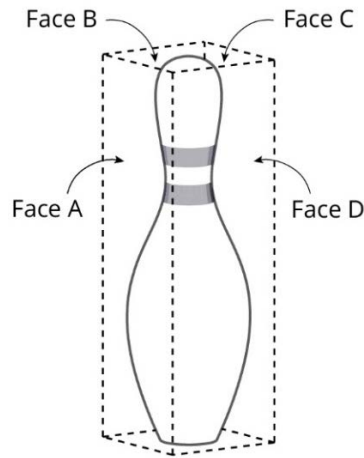


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Spherical, free-form, or sculptural sign area is measured as 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. Signs with greater than four polyhedron faces are prohibited.

Sign Area for Spherical and Free-form Signs

(See Section 6.2.4(B)(1))



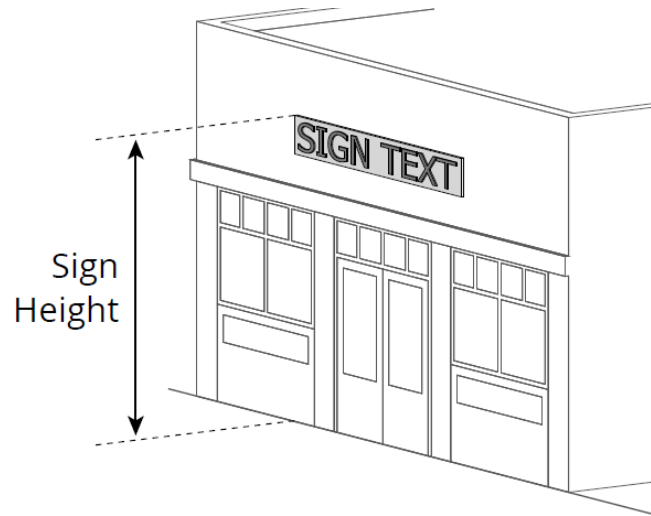
$$\text{Sign Area} = (A + B + C + D) \div 2$$

This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Numerals and letters up to 2 square feet in area used to identifying
identify an address are not included in the determination of sign area.
- (2) Sign Height Measurement. Sign height is measured as follows:
- Building Mounted Sign Height. The height of signs mounted on the wall, fascia, mansard, or parapet is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign or sign structure.

Building Mounted Sign Height

(See Section 6.2.4(B)(2))

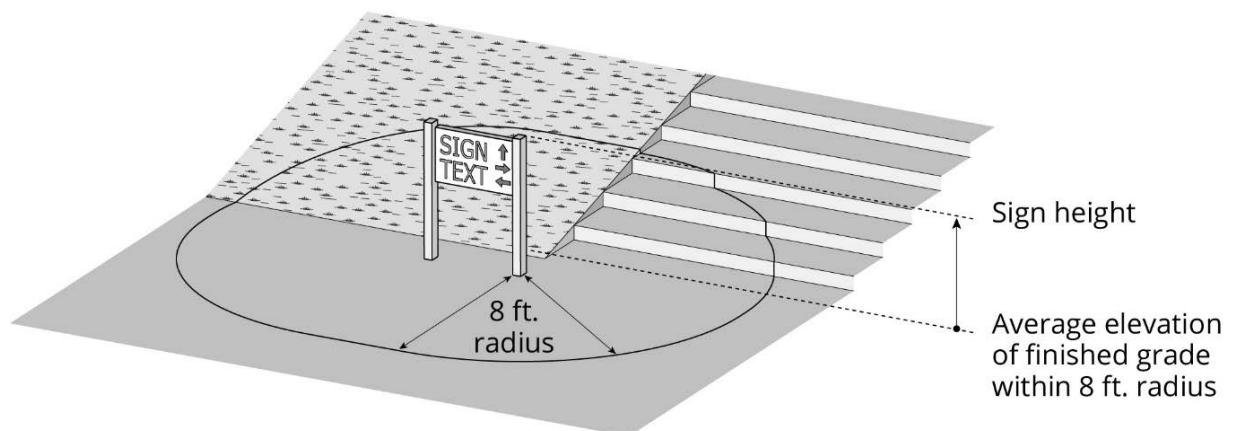


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Freestanding Sign Height.** Sign height is measured as the vertical distance from the average elevation of the finished grade within an eight-foot radius from all sides of the sign at the base of a sign to the top of the sign, exclusive of any filling, berming, mounding or landscaping solely for the purpose of locating the sign, including decorative embellishments.

Freestanding Sign Height

(See Section 6.2.4(B)(2))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

C. Sign Illumination. All allowed permanent signs may be non-illuminated, illuminated by internal light fixtures, halo illuminated, or illuminated by external indirect illumination, unless otherwise specified. All permanent signs for single-family, two-family, and three-family residences or duplexes and all temporary signs must be non-illuminated.

(1) No sign shall be illuminated between 12:00 AM and 6:00 AM, except signs identifying emergency services such as police and ambulance stations or hospitals and signs on premises open for business during that time.

(2) Internally Illuminated Signs.

- Internally illuminated signs include signs constructed with pan channel letters, preferably without raceways, or internal/indirect halo illuminated channel letters on an unlit or otherwise indistinguishable background on a freestanding sign or building wall.
- Single-color LED signs are considered internally illuminated signs.

(3) Externally Illuminated Signs. Externally illuminated signs must be illuminated only with steady, stationary, fully-shielded light sources directed solely onto the sign without causing glare. The light source for externally illuminated signs must be arranged and shielded to substantially confine all direct light rays to the sign face and away from streets and adjacent properties.

(4) Direct illumination is limited to marquee signs; see Section 6.2.5(C)(6) and is limited to the illumination of letters, numbers, symbols and accents on the marquee sign. Exposed lamps may only be animated to create an effect of patterned illusionary movement provided the alternate or sequential activation of the illuminated elements occurs on a cycle that exceeds two seconds.

D. Neon and Single-Color LED Signs. Neon or single-color LED signs placed in a window count toward the aggregate area for all window signs and must not exceed 25 percent of the area of the window. Any individual neon or single-color LED sign must not exceed four square feet in area. Other uses of neon are prohibited; see Subsection-Section 6.2.3(C)(4).

E. Structure and Installation. The construction of signs shall be enforced and administered by the Building Inspector. All signs and advertising structures must be designed to comply with the provisions of this Section 6.2 and applicable provisions of the Building and Electrical Codes and constructed to withstand wind loads, dead loads, and lateral forces.

(1) Any angle iron, bracing, guy wires, or similar features used to support a sign must not be visible to the extent technically feasible.

(2) Where electrical service is provided to freestanding signs or building mounted signs, the service must be placed ~~be~~ underground and concealed. Electrical service to building mounted signs, including conduit, housings, and wire, must be concealed or, when necessary, painted to match the surface of the structure

upon which they are mounted. A building permit shall be issued prior to installation of any new signs requiring electrical service.

- (3) Raceway cabinets shall only be used in building mounted signs when access to the wall behind the sign is not feasible, shall not extend in width and height beyond the area of the sign, and shall match the color of the building to which it is attached. Where a raceway cabinet provides a contrast background to sign copy, the colored area is counted in the total allowable sign area allowed for the site or business. A raceway cabinet is not a cabinet sign.

Raceway Cabinets

(See Section 6.2.4(E)(3))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) All permanent signs allowed by this Section must be constructed of durable materials capable of withstanding continuous exposure to the elements and the conditions of a built-up environment; and must be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.
- F. Sign Maintenance. Unless otherwise specified in this Section, all signs must be maintained by any property owner, lessor, lessee, manager, agent, or other person having lawful possession or control over a building, structure, or parcel of land. Signs must be maintained in a condition or state of equivalent quality to that which was approved or required by the Town of Arlington.
- (1) All signs together with their supports and appurtenances must be maintained in good structural condition, in compliance with applicable Building and Electrical Codes, and in conformance with this Section. Maintenance of a sign includes periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation and provisions of this Section.

- (2) Required landscaped areas contained by a fixed border, curbed area, wall, or other perimeter structure must receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within three months.
- (3) The Building Inspector has the authority to order the repair, maintenance, or removal of any sign or sign structure that has not been maintained and is dangerous or in disrepair, or which is erected or maintained contrary to the requirements of this Section.
- (4) Failure to maintain a sign constitutes a violation of this Section and shall be subject to enforcement action, in which case the Building Inspector may order the removal of any sign that is determined to be in disrepair or dangerous pursuant to the provisions of Section 3.1.

6.2.5. Standards for Permanent Signs

- A. Purpose and Applicability. This Section establishes the standards for permanent building mounted and freestanding signs that are applicable in all districts. Standards for each allowed sign type are provided in tables in ~~Subsections~~ **Section** 6.2.5(D) and 6.2.5(E). These tables are organized as permanent building mounted and freestanding signs for each sign type. All permanent signs must comply with the standards for sign area, height, number, type, and other requirements provided in these tables.
- B. Sign Districts. The table below summarizes how the Town of Arlington's districts established in Section 4.1 have been combined into sign districts based on similarity of use, building form, and character.

Sign Districts		
Sign District Name	Districts	Description
Residential Sign District	Large Lot Single-Family District (R0) Single-Family District (R1) Two-Family District (R2) Three-Family District (R3)	These districts comprise the vast majority of residential land in Arlington. Signage is limited in these districts, as a variety of allowed signage types could detract from the desired residential character.
Residential/Business Sign District	Townhouse District (R4) Apartment District/Low Density (R5) Apartment District/Medium Density (R6) Apartment District/High Density (R7) Neighborhood Office District (B1) Neighborhood Business District (B2)	These districts generally are located along Massachusetts Avenue, and require a variety of sign types to achieve a diverse, mixed-use character appropriate for neighborhood residential, office, service, and retail uses.
Business Sign District	Major Business District (B2A) Village Business District (B3) Vehicular Oriented Business District (B4) Central Business District (B5)	These districts comprise the major commercial centers in Arlington and require a variety of sign types to achieve a diverse character appropriate for major office, service, and retail uses.
Industrial Sign District	Industrial District (I) Transportation District (T)	These districts allow a number of sign types to achieve a character appropriate for industrial manufacturing, warehousing, and transportation uses.
Multi-Use Sign District	Multi-Use District (MU) Planned Unit Development (PUD)	These districts allow a variety of signage types for larger-scale, multi-use <u>or planned unit</u> developments.
Open Space Sign District	Open Space District (OS)	This district prohibits most sign types, allowing only those necessary to provide information for the primary open space and recreation uses.


C. Allowed Sign Types by Sign District. The table below establishes which sign types are allowed in each Sign District.

Allowed Sign Types by Sign District						
Sign Type	Residential ¹ (R0, R1, R2, R3)	Residential/ Business ¹ (R4, R5, R6, R7, B1, B2)	Business ¹ (B2A, B3, B4, B5)	Industrial ¹ (I, T)	Multi- Use ¹ (MU, PUD)	Open Space ¹ (OS)
Building Mounted Signs²						
Awning Sign		Y	Y	Y	Y	
Bracket Sign		Y	Y		Y	
Canopy Sign			Y		Y	
Directional Sign		Y	Y	Y	Y	
Directory Sign		Y	Y	Y	Y	
Marquee Sign			Y			
Porch Sign	Y	Y				
Projecting Sign			Y	Y	Y	
Service Island Canopy Sign			Y	Y		
Wall Sign	Y	Y	Y	Y	Y	
Window Sign	Y	Y	Y	Y	Y	
Freestanding Signs						
Directory Sign	Y			Y	Y	
Directional Sign		Y	Y	Y	Y	
Freestanding Projecting Sign				Y	Y	Y
Monument Sign			Y	Y		
Post Sign		Y	Y	Y	Y	Y
End Note:						
¹ For <u>Institutional-Religious and Educational</u> Uses in all Districts, all permanent sign types are allowed except for the following:						
<ul style="list-style-type: none"> • Awning Sign • Marquee Sign • Projecting Sign • <u>Service Island Canopy Sign</u> 						
² A maximum of two permanent signs listed in Section 6.2.5(C) are permitted per establishment, including any freestanding projecting, monument, or post signs, but excluding awning signs, directional signs, directory signs, marquee signs, and window signs. In all districts, a building may have no more than two of either an awning sign, wall sign, or a window sign.						

D. Standards for All Permanent Building-Mounted Sign Types. The following sign types are allowed, subject to the criteria listed under each sign type.

- (1) Awning Sign. Awning signs must comply with the standards provided in the table below.

Awning Sign Standards	
Standard	Requirements
Sign Area ¹	1 sq. ft. of sign area per lineal-linear foot of awning width. Max. 60% of awning width.
Mounting Height	Min. of 8 ft. from the bottom of the awning to the sidewalk.
Sign Placement	Only above the doors and windows of the ground or second floor of a building. Must not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located. Sign width shall not be greater than 60% of the width of the awning face or valance on which it is displayed.
Setback from back of curb	Min. 2 ft.
Illumination	Non-illuminated or illumination under the awning.
Permitting	Sign permit required. See Subsection 6.2.2(A).




This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

End Notes:
¹ If an awning is placed on multiple store fronts, each business is allowed signage no greater than 60% of the width of the store front.

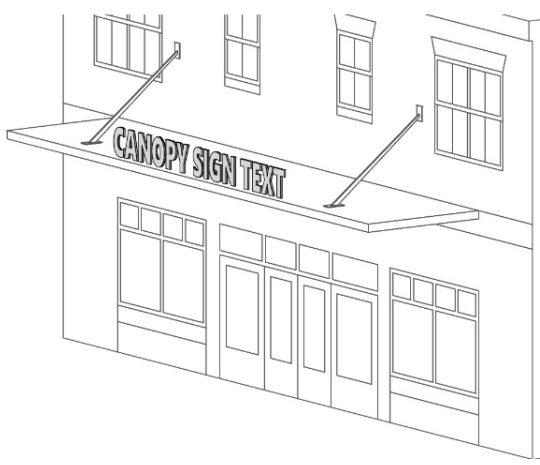
- (2) Bracket Sign. Bracket signs must comply with the standards provided in the table below.

Bracket Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per business.
Sign Area	Max. 46-12 sq. ft.
Mounting Height	Min. of 8 ft. from the bottom of the sign to the sidewalk. Must be mounted perpendicular to the building face or corner of the building.
Sign Placement	If mounted below the underside of a walkway or overhead structure, must not extend beyond the edge of the structure on which it is located.
Sign Projection	Max. 5 feet from the building façade.
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).
Permitting	<u>Sign permit required. See Subsection 6.2.2(A).</u>

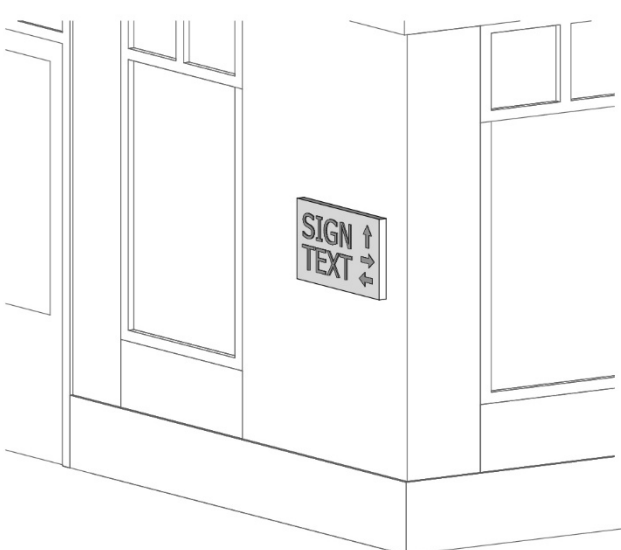


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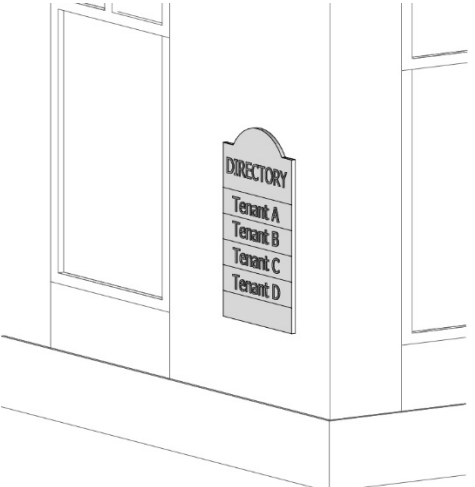
- (3) Canopy Sign. Canopy signs must comply with the standards provided in the table below.

Canopy Sign Standards		 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>
Standard	Requirements	
Number of Signs	Max 1 per business.	
Sign Area	1 sq. ft. of sign area per linear foot of canopy width.	
Mounting Height	Max. 20 ft. on ground floor canopies. Min. of 8 ft. from the bottom of the sign to the sidewalk.	
Illumination	Non-illuminated or internal illumination only. See Subsection 6.2.4(C).	
Permitting	Sign permit required. See Subsection 6.2.2(A).	


- (4) Directional/Driveway Sign. Directional signs must comply with the standards provided in the table below.

Directional/Driveway Sign Standards		 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>
Standard	Requirements	
Number of Signs	Max. 3 per lot. Max. 1 at each driveway or drive-through lane.	
Sign Area	Max. 3 sq. ft. per sign face.	
Mounting Height	Max. 6 ft. from nearest grade; except, max. 3 ft. at each driveway or drive-through lane.	
Illumination	Non-illuminated or internal illumination only. See Subsection 6.2.4(C).	
Permitting	Sign permit required. See Subsection 6.2.2(A).	

- (5) Directory Sign. Directory signs must comply with the standards provided in the table below.

Directory Sign Standards		 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>
Standard	Requirements	
Number of Signs	Max. 1 per building.	
Sign Area	1 sq. ft. per occupant or tenant space. Max. 16 sq. ft.	
Mounting Height	Max. 6 ft. from nearest grade.	
Permitting	Sign permit required. See Subsection 6.2.2(A).	
Illumination	Non-illuminated, internally illuminated, or externally illuminated only. See Subsection 6.2.4(C).	

- (6) Marquee Sign. Marquee signs must comply with the standards provided in the table below.

Marquee Sign Standards		 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>
Standard	Requirements	
Number of Signs	1 sq. ft. of sign area per linear <u>linear</u> foot of awning width. Max. 60% of awning width.	
Sign Area	Min. of 8 ft. from the bottom of the awning-marquee to the sidewalk.	
Mounting Height	Only above the doors and windows of the ground or second floor of a building. Must not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located. Sign width shall not be greater than 60% of the width of the awning-face of the marquee or valance on which it is displayed.	
Sign Placement	Min. 2 ft. from back of curb	
Illumination	Nonilluminated or illumination under the awning. <u>Non-illuminated, internally illuminated, or direct illumination only. See Subsection 6.2.4(C).</u>	
Permitting	Sign permit required. See Subsection 6.2.2(A).	
Special Provisions	Requirements	
Changeable	Equivalent to the total allowable wall sign area.	

Marquee Sign Standards

Copy Signs	Allowed only as an integral part of a marquee sign. Non-illuminated or internally illuminated. See Subsection 6.2.4(C). Sign permit required. See Subsection 6.2.2(A).
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- (7) **Porch Sign.** Porch signs must comply with the standards provided in the table below.

Porch Sign Standards

Standard	Requirements
Number of Signs	Max. 1 per building.
Sign Area and Dimensions	Max. 6 sq. ft.; Max. dimension of any side 3 ft.
Mounting Height	Min. 6 ft. 8 inches <u>from the porch floor</u> .
Sign Placement	Mounted on a beam or other structure parallel to the face of the building.
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).

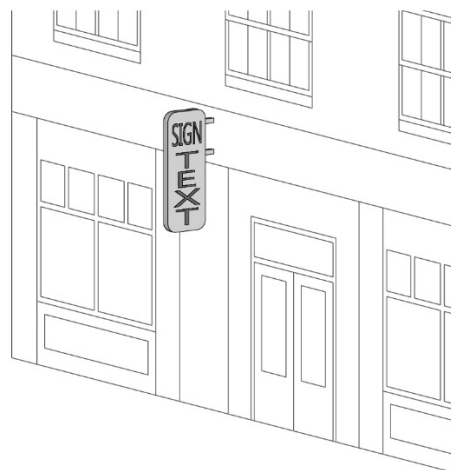


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (8) **Projecting Sign.** Projecting signs must comply with the standards provided in the table below.

Projecting Sign Standards

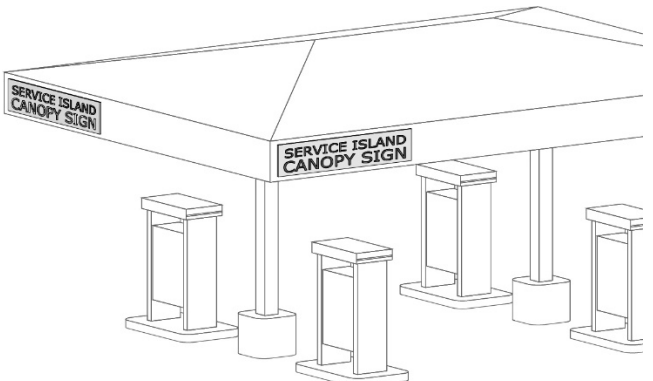
Standard	Requirements
Number of Signs	Max. 1 per business.
Sign Area	Max. 12 sq. ft.
Sign Width	Max. 2 ft.
Mounting Height	Min. of 8 ft. from the bottom of the sign to the sidewalk.
Sign Placement	Only on the wall of a building and must not project above the plate line.
Projection	Max. 12 inches from the wall.
Illumination	Non-illuminated, internally illuminated, or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes

	only. It is not part of the Arlington Zoning Bylaw.
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- (9) **Service Island Canopy Sign.** Service island canopy signs must comply with the standards provided in the table below.

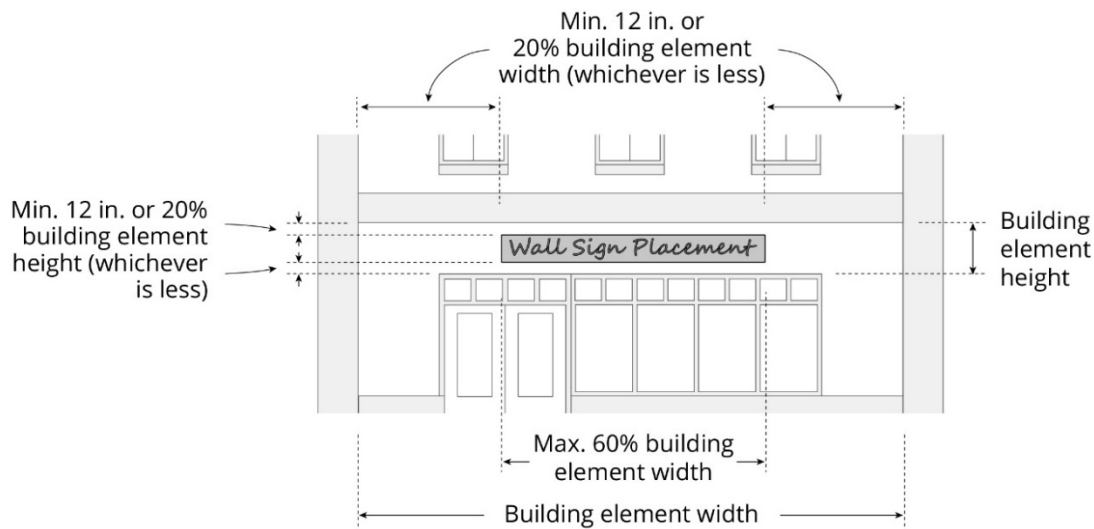
Service Island Canopy Sign Standards		
Standard	Requirements	
Number of Signs	Max. 2; 1 per canopy façade.	 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>
Sign Area	Max. 20 sq. ft.	
Illumination	Non-illuminated or internally illuminated. See Subsection 6.2.4(C).	
Permitting	Sign permit required. See Subsection 6.2.2(A).	

- (10) **Wall Sign.** Wall signs must comply with the standards provided in the table below.

Wall Sign Standards		
Standard	Requirements	
	Sign Area and Number of Signs ¹	Sign Height
Residential Sign District:	Max. 1; Max. 4 sq. ft. per residence	Max. 6 ft. to the nearest grade
Residential/Business Sign District:	Max. 1 per residence; Max. 4 sq. ft. Max. 1 per frontage for businesses; Max. 20 sq. ft.	Max. 6 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 40 sq. ft. per business	Max. 25 ft.
Multi-Use Sign District:	Max. 1 per frontage; Max. 40 sq. ft. per business	Max. 25 ft.
Industrial Sign District:	Max. 1 per frontage; Max. 40 sq. ft. per business	Max. 25 ft.
Open Space Sign District:	Max. 1; Max. 12 sq. ft.	Max. 10 ft. to the nearest grade
Institutional Use in All Districts:	2 signs per frontage; 1 sign max. 20 sq. ft. and 1 sign max 10 sq. ft. (1 sign may be a freestanding sign max. 10 sq. ft.).	Max. 10 ft. to the nearest grade

Wall Sign Standards

Sign Placement	<p>The total sign area for signs on single-tenant or multi-tenant buildings may be placed on any building elevation, subject to the following standards:</p> <p>(1) At least 1 sign must be placed above or associated with the building entry;</p> <p>(2) No sign shall face an adjoining residential district;</p> <p>(32) The width of the sign shall be no greater than 60% of the width of the building element on which it is displayed;</p> <p>-(43) Signs shall be placed at least 12 inches or 20% of the width of the building element on which they are mounted, whichever is less, from the sides of the building element;</p> <p>-(54) Signs shall be placed at least 12 inches or 20% of the height of the building element on which they are mounted, whichever is less, from the top and bottom edge of the building element; and</p> <p>(65) Signs shall be placed no higher than the lowest of the following:</p> <ul style="list-style-type: none"> • 25 ft. above grade; • The bottom of the sill of the first level of windows above the first story; or • The cornice line of the building at the building line.
Illumination	Non-illuminated, internally illuminated, or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit is required, except for single-family and two-family, and three-family residences and duplexes. See Subsection 6.2.2(A).

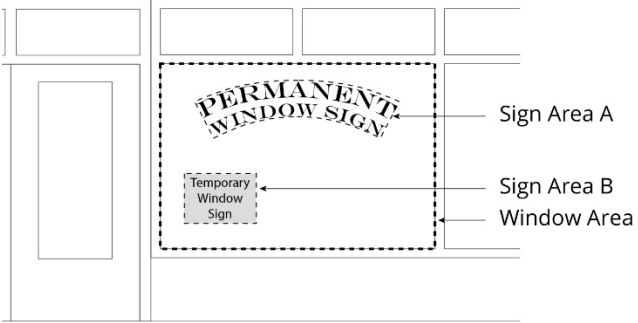


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Special Provisions	Requirements
Painted Wall Signs	<p>Painted wall signs are allowed on any exterior building wall of an individual tenant space or building.</p> <p>Painted wall signs are included in the total allowable area for wall signs.</p> <p>The allowable area for a painted wall sign shall be increased by 10%.</p> <p>Must be professionally painted.</p> <p>Non-illuminated or externally illuminated. See Subsection 6.2.4(C).</p>
<p>End Note:</p> <p>¹ In any B, I or PUD district, one wall sign is permitted for each street or parking lot frontage for each establishment.</p>	

- (11) Window Sign. Window signs must comply with the standards provided in the table below.

Window Sign Standards	
Standard	Requirements
Sign Area	Combined area of permanent and temporary window signs must not exceed 25% of the area of the window where they are displayed.
Sign Placement	No higher than 2 nd story windows. Inside mounting required.
Illumination	Non-illuminated or neon <u>externally illuminated</u> only. <u>Neon and single-color LED in some applications.</u> See Subsection 6.2.4(C).
Permitting	<u>Sign permit required. See Subsection 6.2.2(A).</u> Sign permit is not required.



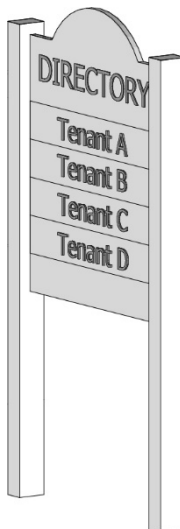
Sign Area A + Sign Area B ≤ 25% Window Area

This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- E. Standards for All Permanent Freestanding Sign Types. The following sign types are allowed, subject to the criteria listed under each sign type.

- (1) Directory Sign. Directory signs must comply with the standards provided in the table below.

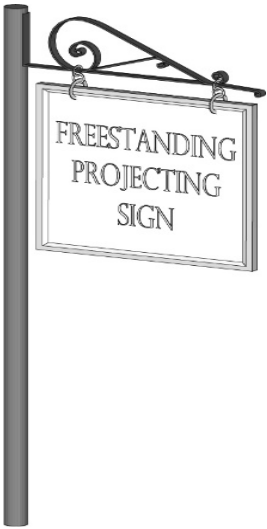
Directory Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per building.
Sign Area	1 sq. ft. per occupant or tenant space. Max 12 sq. ft.
Height	Max. 6 ft. from nearest grade.
Illumination	Non-illuminated, internally illuminated, or externally illuminated only. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



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- (2) Freestanding Projecting Sign. Freestanding projecting signs must comply with the standards provided in the table below.

Freestanding Projecting Sign Standards	
Standard	Requirements
Number of Signs	1 per lot.
Sign Area	Max. 4 sq. ft.; Max. dimension of the longest side 2 ft.
Height	Max. 6 ft.
Sign Placement	Min. 5 ft. setback from property line. See also Subsection 6.2.3(A)(3).
Illumination	Non-illuminated or externally illuminated with down directed, fully shielded fixtures only. See Subsection 6.2.4(C).
Permitting	Sign permit is required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (3) Monument Sign. Monument signs must comply with the standards provided in the table below.

Monument Signs Standards		
Standard	Requirements	
	Sign Area and Number of Signs	Sign Height
Residential/Business Sign District:	Max. 1 per residence and 1 per frontage for businesses; Max. 8 sq. ft.	Max. 4 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Multi-Use Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 12 ft. to the nearest grade
Open Space Sign District:	Max. 1 per frontage; Max. 12 sq. ft.	Max. 6 ft. to the nearest grade
Industrial Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 6 ft. to the nearest grade
Institutional Use in All Districts:	Max. 1 per frontage; Max. 10 sq. ft.	Max. 6 ft. to the nearest grade
Sign Placement	Business, Industrial, Multi-Use and Open Space Sign District: Min. 5 ft. setback from property line. Residential and Residential/Business Sign District: Min. 10 ft. from property line. See also Subsection 6.2.3(A)(3).	
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).	
Permitting	Sign permit is required. See Subsection 6.2.2(A).	

Monument Signs Standards



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Special Provisions	Requirements
Name of Shopping Center <u>Property</u>	The name of a shopping center <u>property</u> is included in the area and height limits for freestanding signs.
Landscaping	A landscaped area consisting of shrubs, and/or perennial ground cover plants with a max. spacing of 3 ft. on center is required around the base of the signs. The landscape area must be a min. of 2 sq. ft. for each 1 sq. ft. of sign area.

- (4) **Post Sign.** Post signs must comply with the standards provided in the table below.

Post Signs Standards		
Standard	Requirements	
	Sign Area and Number of Signs	Sign Height
Residential/Business Sign District:	Max. 1 per residence and 1 per frontage for businesses; Max. 8 sq. ft.	Max. 4 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Multi-Use Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Open Space Sign District:	Max. 1 per frontage; Max. 12 sq. ft.	Max. 6 ft. to the nearest grade
Industrial Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 6 ft. to the nearest grade
Institutional Use in All Districts:	Max. 1 per frontage; Max. 10 sq. ft.	Max. 6 ft. to the nearest grade
Sign Placement	Business, Industrial, Multi-Use and Open Space Sign District: Min. 5 ft. setback from property line. Residential and Residential/Business Sign District: Min. 10 ft. from property line. See also Subsection 6.2.3(A)(3).	
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).	
Permitting	Sign Permit is required. See Subsection 6.2.2(A).	

Post Signs Standards



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

F. Billboards.

- (1) No person, firm, association, or corporation shall erect, display or maintain a billboard, except those exempted by G.L. [c.](#) 93, §§ 30 and 32.
- (2) No billboard shall be erected, displayed, or maintained in any block in which one-half of the buildings on both sides of the street are used exclusively for residential purposes; except that this provision shall not apply if the written consent of the owners of the majority of the frontages on both sides of the street in such block is first obtained and is filed with the Select Board or the Massachusetts Department of Transportation (MassDOT) Office of Outdoor Advertising, together with the application for a Permit for the billboard.
- (3) Requirements for Billboards. Billboards are subject to the permit requirements established by the MassDOT Office of Outdoor Advertising. In addition, the following standards apply.
 - A maximum of one billboard is allowed per lot.
 - A billboard may not be located within 50 feet of any public right-of-way.
 - A billboard may not be located within 50 feet of another billboard, unless they are placed back-to-back billboards on the same structure.
 - A billboard may not be located in any Residential District or Planned Unit Development District unless specifically exempt by the applicable regulations of the MassDOT Office of Outdoor Advertising.
 - A billboard may not be located in any B or I District when:
 - On any block in which one-half or more of the buildings on both sides of the street are used partially or wholly for residential purposes;

- On the premises of or within 300 feet of a district, site, building, structure or object which is listed in the National Register of Historic Places in accordance with P. L. 89 665, 805.915 (1966) as amended;
 - On the premises of or within 300 feet of any church, chapel, synagogue, school, public playground, hospital, municipal building (including without limitation town hall, fire and police stations and public library buildings, MBTA station), museum, public park or reservation, a permanently erected memorial to veterans or monument;
 - Within 200 feet of the 100-year flood line of the Alewife Brook, Mystic Lake, Mystic River, Mill Brook, Spy Pond or any wetlands shown on the floodplain and wetland overlay of the Zoning Map of the Town of Arlington;
 - Within a radius of 150 feet from the point where the centerlines of two or more public ways intersect;
 - Exceeding a height of 30 feet measured from the ground surface;
 - Upon the roof of any building;
 - Exceeding an area of 300 square feet or one-half square foot per foot of lot frontage or, in the case of wall signs, of one-sixth of the area of said wall, whichever is smaller;
 - Containing a sign face with a vertical dimension more than 12 feet;
 - Nearer than 100 feet to any public way, if within view of any portion of the same, if such billboard shall exceed a length of eight feet or a height of four feet;
 - Nearer than 300 feet to any public way, if within view of any portion of the same, if such billboard shall exceed a length of 25 feet of a height of 12 feet; or
 - In any event if such billboard shall exceed a length of 50 feet or a height of 12 feet; except that the Select Board may permit the erection of billboards which do not exceed 40 feet in length and 15 feet in height if not nearer than 300 feet to the boundary line of any public way.
- (4) No billboard shall be erected, displayed or maintained without a license from the Select Board pursuant to the following provisions:
- Upon receipt of an application for a permit to erect, display or maintain a billboard within the limits of the Town of Arlington has been received by it, the Select Board shall hold a public hearing on the said application in the Town, notice of which shall be given by posting the same in three or more public places in the Town at least one week before the date of the such hearing.

- A written statement as to the decision of the Board results shall be forwarded to the applicant within 30 days from the date of notice of the Town that an application for a permit had been made. In the event of a disapproval of the such application, the Board shall provide reasons for the disapproval within 30 days from the date of notice of the Town that an application for such a permit had been made
- (5) This Subsection shall not apply to billboards erected and maintained in conformity with law, which advertise or indicate either the person occupying the premises in question or the business transacted thereon, or advertising the property itself or any part thereof as for sale or to let and which contain no other advertising matter and provided further that this Bylaw shall not apply to billboards legally maintained, at the time of its approval by the Attorney-General, until one year from the first day of July following such approval.

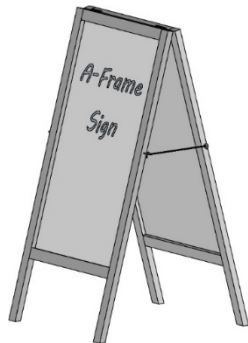
6.2.6. Standards for Portable Signs and Temporary Signs

- A. General to All. Portable and temporary signs are allowed only in compliance with the provisions of this Section.
- (1) A temporary sign permit is required for the display of temporary wall banner signs. All portable signs may be installed without a temporary sign permit, except that A-frame and upright signs placed in the public right-of-way require a temporary sign permit.
 - (2) There is no limitation on the length of time that a portable sign may be displayed except as provided in Subsection 6.2.6(C).
 - (3) Portable signs must be placed in a manner allowing traffic visibility for street corners and driveways, in accordance with Section ~~5.3.126.2.3(A)~~.
 - (4) Portable and temporary signs are not counted toward the total allowable sign area or number of permanent signs.
- B. Standards for All Portable Signs and Temporary Signs. Portable and temporary signs are allowed in all zoning districts in compliance with the time, place, and manner restrictions provided in this Section.

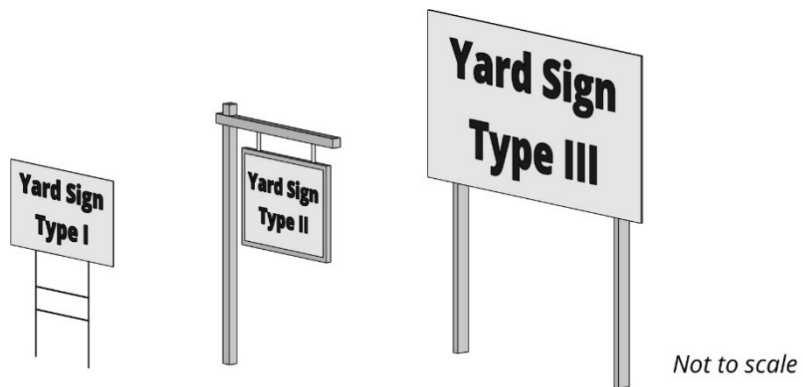
Standards for All Portable Signs and Temporary Signs	
Applicable to All Districts	
Placement	Sign placement must not create a hazard for pedestrian or vehicular traffic, <u>and must allow for a 4-foot wide sidewalk to comply with the Americans with Disabilities Act.</u>
Prohibited Elements	Illumination, including flashing, blinking, or rotating lights; animation; reflective materials; and attachments, including balloons, ribbons, loudspeakers, etc.
Design and Construction	Signs must be of sufficient weight and durability to withstand wind gusts, storms, etc. <u>for the safety of pedestrians, bicyclists, and vehicles.</u>
Permitting	See Section 6.2.2(B).

Standards for All Portable Signs and Temporary Signs	
All Residential Sign Districts	
Allowed Sign Types	Yard Sign Types I and II; and Window Signs.
Total Sign Area	Max. 16 sq. ft. per lot; excludes the area of temporary window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 16 sq. ft.
All Non-Residential Sign Districts	
Allowed Sign Types	A-Frame or Upright Signs; Yard Sign Type I, II, and III; Wall Banners; and Window Signs.
Total Sign Area	Max. 24 sq. ft. per business; excludes the area of temporary wall banner signs and window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 24 sq. ft. per business. Exception: Multi-tenant shopping centers commercial buildings or offices - Max. 2 portable signs per 150 linear feet of property frontage not to exceed 24 sq. ft. combined.

- C. Standards for Specific Portable and Temporary Sign Types. All portable and temporary sign types must comply with the standards provided in this Section. Portable and temporary sign types not included in this table are not allowed.

Standards for Specific Portable and Temporary Signs				
Sign Type	Standard			Other Requirements
	Max. Height	Max. Width	Max. Area	
Portable Signs ¹				
A-Frame or Upright Sign	4 ft.	3 ft.	12 sq. ft.	
				
This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.				
Yard Sign Type I	4 ft.	2 ft.	3 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type II	6 ft.	2 ft.	4 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type III	6 ft.	8 ft.	32 sq. ft.	Sign must be installed securely in the ground.

Standards for Specific Portable and Temporary Signs



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Standards for Specific Portable and Temporary Signs

Temporary Signs

Wall Banner	-	-	32 sq. ft.	Signs must be mounted on a building wall or on T-posts or stakes installed 6 inches or less from the wall. Signs may only be displayed for a maximum of 60 calendar days per calendar year.
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This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Window Sign	-	-	Max. 25% ²	Signs may not be placed higher than 2 nd story windows. Inside mounting required.
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End Notes:

¹ Other portable sign types may be allowed (e.g. fuel pump topper signs wraps around waste receptacles) provided the max. area limitation for all portable signs is not exceeded.

² The total area of temporary and permanent window signs must not exceed 25% of the area of the window on which they are displayed.

6.2.7. Nonconforming Signs

- A. If at the effective date of ~~this Sign Bylaw~~ February 14, 2019 any sign which is being used in a manner or for a purpose which is otherwise lawful but does not comply with the provisions of this- Section 6.2, shall be deemed legal but nonconforming.
- B. Nonconforming signs are required to be maintained in good condition in compliance with Subsection 6.2.4. Nothing in this Section affects an existing sign or the right to its continued use for the purpose used at the time this Section takes effect, nor to make any reasonable repairs or alterations.
- C. A legal nonconforming sign that has been damaged or has deteriorated to such an extent that the cost of restoration would exceed 35%percent of the replacement cost of the sign at the time of restoration, must be removed or repaired, rebuilt or replaced only in compliance with the provisions of this Section 6.2.
- D. Removal of a nonconforming sign, or replacement of a nonconforming sign with a conforming sign, is required when the use of the sign and/or the property on which

the sign is located has been abandoned, ceased operations, become vacant, or been unoccupied for a period of 180 consecutive days or more as long as the period of non-use is attributable at least in part to the property owner, tenant, or other person or entity in control of the use. For purposes of this Section, rental payments or lease payments and taxes shall not be considered as a continued use. In the event this should occur, these conditions will be considered as evidence of abandonment, requiring removal of the nonconforming sign by the owner of the property, his/her agent, or person having the beneficial use of the property, building or structure upon which the nonconforming sign or sign structure is erected within 30 days after written notification from the Building Inspector. If, within the 30-day period, the nonconforming sign is not removed, enforcement action consistent with Section 3.1 shall be pursued.

- E. In no event will the degree of nonconformity of any sign or type of signage be increased.
- F. Illegal signs shall not be considered to be nonconforming signs.

SECTION 2. DEFINITIONS

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Definitions Associated with Signs

Balloon: A brightly colored bag made of flexible material, inflated with air or other gas and sealed, often to make it rise in the air.

Billboard: A permanent sign structure ~~defined by G.L. c. 93, § 30 and 32 and~~ intended for the display of off-premises advertising.

Channel Letters: Three dimensional, individually manufactured letters or figures with an open back which may contain a light source to provide light onto the sign background against which the channel letters are silhouetted.

Commercial Message: A message conveyed by any sign that is solely intended to interest, entice, or solicit any person to participate in commercial transactions with a business, including offers of goods, cash, discounts on products or services, or other items, including the offering of free goods or services made in exchange for or with the intent to induce the recipient's willingness to receive information relating to a possible commercial transaction.

~~Direct Illumination: Illumination on a sign characterized by the use of exposed lamps, such as incandescent bulbs or neon, that have no shielding and are visible to the eye.~~

Electronic Message Center: A sign or portion of a sign that is capable of changing by electronic or automatic means the characters, letters, numbers, illustrations, display, color, and/or light intensity.

Flag: A fabric sheet of square, rectangular, or triangular shape that is typically mounted on a pole.

Halo Illumination: A form of sign illumination in which neon tubing, LED, or similar lights are mounted within the letter to illuminate the mounting surface, causing a ring of light around the letter.

LED (Light Emitting Diode): A semiconductor diode that emits light when a voltage is applied to it.

Logo: A stylized group of letters, words, numbers, symbols, or graphics used to represent and distinguish a business, product, or organization.

~~Mural: A picture or decoration that is applied directly to a wall and does not contain text or a commercial message.~~

Neon: An illumination source created when a glass tube filled with neon or other similar gas emits light when energized.

Notice: Temporary signs erected by a person, a town committee, student organization or non-profit organization for the purpose of advertising an individual yard sale, non-commercial public event, or lost pet.

Pan Channel Letter: A specific type of sign letter consisting of a metal pan enclosure fabricated in the shape of a letter. The metal pan enclosure is used to house the lighting and electrical components of the letter and can be mounted directly to a building wall. The sign face is usually made out of colored plastic and is attached to the metal pan to seal it off from pests and harsh weather.

Pennant: A tapering flag made of flexible materials and often triangular in shape. Frequently displayed with other pennants on a string.

Plate line: The uppermost horizontal line of a building wall upon which the roof rests.

Raceway ~~Cabinet~~: An enclosed conduit for electrical wiring.

Sign: Any structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archeological, ideological, political, ~~religious~~, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illumination. Any structure, device, letter, word, model, insignia, trade flag, streamer, display, emblem, or representation used as, or which is in the nature of, an advertisement, announcement, or direction, including illuminated signs within a window. Awnings, marquees, canopies, clocks, thermometers, and calendars shall be subject to the provisions of 6.2.

~~Sign, Accessory: Any sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the person occupying the premises, the business transacted on the premises, and directional or parking instructions, or the sale or letting of the premises or any part thereof.~~

~~Sign Area, Area of a Sign, Signage: The entire face of a sign including the advertising surface, message, or announcement, and any framing, trim, or molding, but not including the supporting structure. The entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. Sign area of a standing or pole sign is the entire area of one side of such sign such that two faces which are back to back are counted only once for the purposes of standing or pole sign area.~~

~~Sign Animated: A sign, or any portion of a sign, made or equipped to move or give the appearance of moving, either by the movement of any light used in conjunction with a sign, such as blinking traveling, flashing or changing degree of intensity, or by mechanical means or movement of the air.~~

~~Sign, Awning: A permanent sign that is printed, painted, or affixed to an awning. A sign applied directly to or incorporated as part of an awning.~~

Sign, A-Frame: A portable sign and self-supporting sign constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top. May also be known as an Upright Sign or Sandwich Board Sign.

Sign, Bandit: Any sign that is placed on public property or on private property without the consent of the property owner or as authorized in Section 6.2.

Sign, Bracket: A permanent sign mounted either to the wall of building by means of a bracket or attached to the underside of a lintel, arch or other overhead structure above a porch of walkway and which is typically hung perpendicular to the wall of the building. A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign’s design, below which hangs the sign in a manner to withstand public or property damage from wind.

Sign, Building Identification: A permanent sign consisting of letters applied to a building wall, engraved into the building material, or consisting of a sculptural relief which contains the name of the building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.

Sign, Building Mounted: A permanent sign attached to, connected to, or erected against the wall, parapet, or fascia of a building or structure. The exposed face of the sign is in a plane parallel to the vertical face of the building or structure.

Sign, Cabinet: A sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures which illuminate the sign face from behind.

Sign, Canopy: A sign that is printed, painted, or affixed to a canopy, typically used to accent building entries. Roof-like covering, as a canvas, on a frame that is affixed to a building projecting over a sidewalk portion of a way, and carried by a frame supported upon the ground or sidewalk.

Sign Copy: Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.

Sign, Directional: A permanent sign intended to inform the viewer of the approximate route, direction, or location of a facility or use.

Sign, Directory: A permanent sign which provides information in a list, roster, or directory format.

Sign, Externally Illuminated: A sign, the face of which reflects light from an external light source intentionally directed upon it.

Sign, Facing or Face: The surface of a sign board, background area, and structural trim upon, against or through which a message is displayed or illustrated on the sign.

Sign, Feather Banner: A portable sign typically constructed of cloth, plastic or similar non-rigid material, and attached to a vertically mounted pole that is securely fastened to the ground.

Sign, Freestanding: A sign erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building. ~~A sign not a part of or attached to any building but generally located elsewhere on a lot.~~

Sign, Freestanding Projecting: A permanent sign featuring a single- or double-sided sign face, projecting outward at a perpendicular angle from a support structure.

Sign, Fuel Pump Topper: A temporary sign **with a commercial message** affixed to the top of an operable fuel dispensing pump **used to advertise goods offered for sale on the same parcel on which the fuel pump is located.**

~~Sign, Ground: A free-standing sign located on or close to the ground, the top of which shall not be higher than 4 feet above the ground.~~

Sign, Individual Letter: A cut-out or etched letter or logo which is individually mounted on a building wall, or freestanding sign.

Sign, Internally Illuminated: Any sign in which the source of light is entirely enclosed within the sign and is not directly visible.

Sign, Landmark: A sign of historic merit, uniqueness, or significance to the community.

Sign, Marquee: A permanent sign structure placed over the entrance to a building and typically used for a theater or other entertainment use.

Sign, Monument: A permanent sign with a solid base that is equal to or larger than the width of the sign face.

Sign, Nonconforming: Any sign legally installed or established prior to the effective date of the Zoning Bylaw or subsequent amendment to it, which does not conform to the provisions of Section 6.2.

Sign, Off-premise: Any sign that directs attention to a business, commodity, service, entertainment, product, structure, use or property different from a structure or use existing on the property where the sign is located, and/or any sign on which space is rented, donated or sold by the owner of said sign or property for the purpose of conveying a message.

Sign, Painted Wall: A sign painted directly onto the exterior wall of a building and having no sign structure.

Sign, Permanent: A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises **meeting the standards of Section 6.2.5.** ~~Any sign as defined above, intended to be erected and maintained for more than 60 days.~~

Sign, Porch: A sign that is mounted on a porch **of a building** and legible from the sidewalk.

Sign, Portable: A sign that is capable of being moved and which is not designed to be permanently attached to a building or permanently secured to the ground. Excludes signs affixed to or painted on a vehicle **or trailer.** ~~A free-standing sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it~~

~~occupies, including trailered signs but excluding signs affixed to or painted on a vehicle.~~

Sign, Post: A permanent sign mounted on either a single post or two or more posts.

Sign, Projecting: A permanent sign that is attached to and extends perpendicular from a building from the wall. Any sign which is attached to a building or other structure and any part of which projects more than 12 inches from the wall surface of that portion of the building or structure in front of which the sign is positioned.

Sign, Raised Letter. A sign containing copy, logo, and/or decorative embellishments in relief on the face.

~~Sign, Roof: Any sign erected, constructed and maintained upon or over the roof of any building.~~

~~Sign, Standing or Pole: A free standing sign not exceeding 15 feet in height with 8 feet of clearance under the sign area and erected upon supporting devices or stands.~~

Sign, Service Island Canopy: A permanent sign mounted on or under a service island canopy, including on a fascia.

Sign, Single-Color LED: A sign composed of single-color LEDs, including signs with fixed and changeable copy.

Sign, Temporary: A sign constructed of paper, cloth, or similar expendable material, which is intended for a definite and limited period of display and which is not permanently affixed to a structure, sign area, or window [meeting the standards of Section 6.2.6](#). Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed 60 days

Sign, Vehicle: Any sign on or affixed to a truck, van, automobile, trailer, or other vehicle.

Sign, Wall: A permanent sign affixed or applied to, or erected against, the wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of the wall or fascia. A sign not exceeding 4 feet in height securely affixed to a wall projecting no more than 12 inches from and parallel to the face of such wall, not projecting beyond the building face fronting on a street or parking lot nor above the highest line of the building to which it is attached. A wall sign shall be no higher than the lowest of the following: 25 feet above grade; (b) the bottom of the sills of the first level of windows above the first story; or (c) the cornice line of the building at the building line. If attached to a parapet, a sign shall not exceed the height of the parapet.

Sign, Primary Wall: A sign on the building face fronting on a street or parking lot frontage.

Sign, Secondary Wall: A sign located on any building face fronting on a street or parking lot frontage other than that of the primary wall sign. The cumulative area of all secondary wall signs shall not exceed 50% of the maximum possible area of the primary wall sign.

Sign, Wall Banner: A temporary sign constructed of cloth, bunting, plastic, paper, or similar material and securely attached to a wall or support structure. Flags are not considered temporary wall banners.

Sign, Window: A permanent or temporary sign posted, painted, placed, or affixed in or on a window, or otherwise exposed to public view through a window. ~~Signs intended to be viewed from the exterior that are painted or posted on an interior transparent or translucent surface including windows and doors, or interior to and within 12 inches of such a surface. The area of a window sign shall not exceed 25% of the area visible from the exterior of the building.~~

Sign, Yard (Type I): A small portable sign typically constructed of corrugated plastic and supported on an H-shaped wire frame.

Sign, Yard (Type II): A portable sign mounted on a single post installed securely in the ground with a small sign hanging from a cross-bar mounted parallel to the ground.

Sign, Yard (Type III): A large portable sign typically constructed of wood and mounted on two posts installed securely in the ground.

Sign Structure: The supports, uprights, bracing, and/or framework of a sign.

Spinner: A lightweight, durable, and colorful device designed to be affected by the movement of air so that it spins or rotates in a manner to capture attention.

Public Hearing for Town Meeting Warrant Article 17 Town of Arlington, MA

Arlington Redevelopment Board Meeting | March 4, 2019



75 of 90

CC Image courtesy of Juhan Sonin on Flickr

Article 17

To see if the Town will vote to amend the Zoning Bylaw to update the sign regulations in its entirety by; amending SECTION 2 DEFINITIONS to remove and replace the definitions associated with signs, and amending SECTION 6.2 SIGNS to remove and replace the sign regulations in its entirety, or take any action related thereto.

Related Article 26: Supports consolidation of the sign regulations into the Zoning Bylaw

Project Overview

- Master Plan Zoning Audit identified concerns with the sign regulations
- Recodified Zoning Bylaw was adopted in February 2018
- Recodification process identified need for an update to the Town's sign regulations, but needed amendments were too substantive to address at that time
- LWC, Inc. hired September 2018



TOWN OF ARLINGTON ZONING BYLAW

Adopted by Town Meeting on February 12, 2018
Amended by Special Town Meeting on May 2, 2018

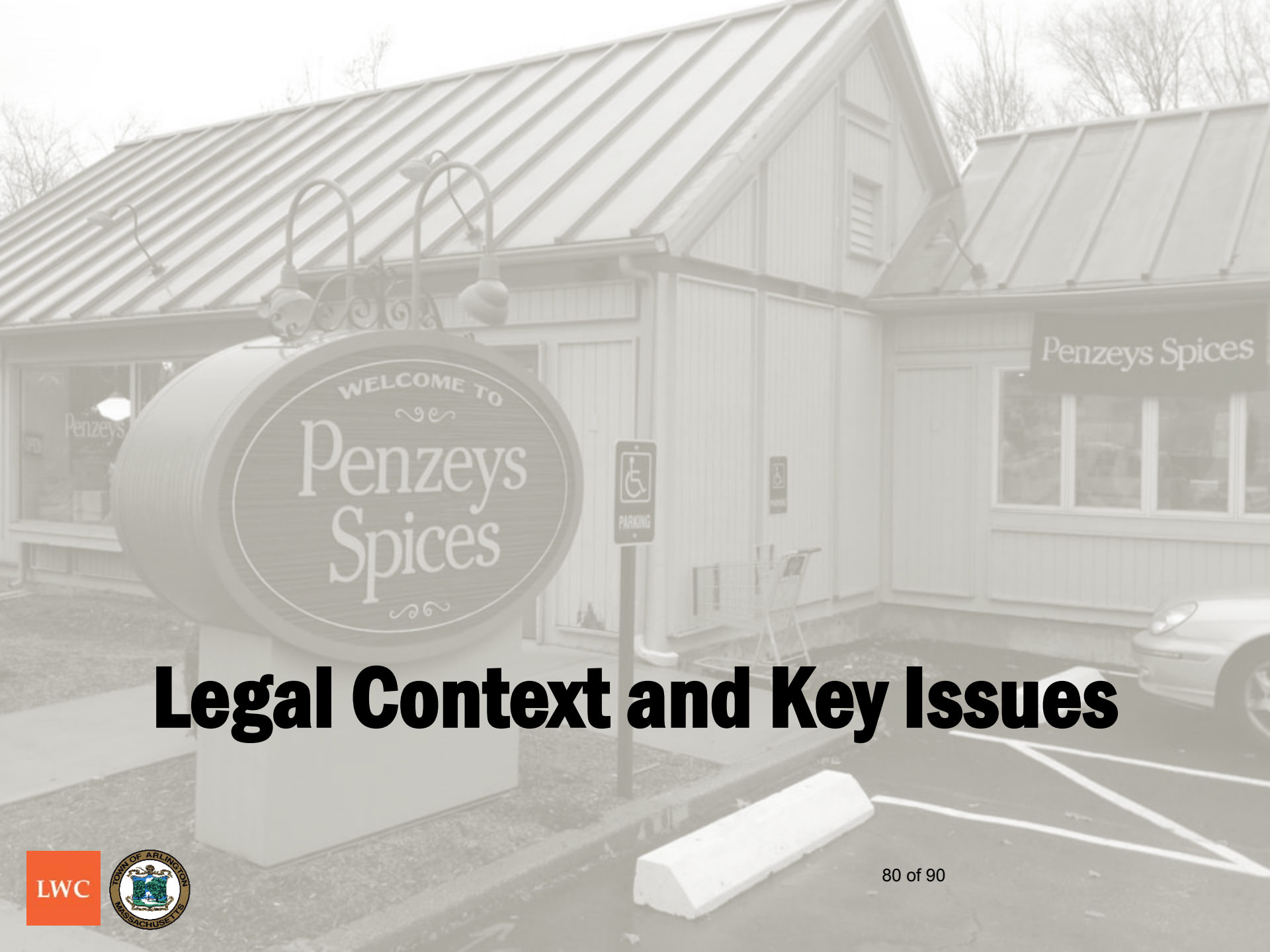
Purpose of the Update

To develop new Sign Regulations that are:

- Consistent with the state and federal law, and the Arlington Master Plan
- Consistent with recent, pertinent case law
- Standards that reflect different aesthetic, dimensional, and material needs of different property types and geographies
- Well-organized, straight-forward, and easy-to-use
- Clear, concise, and well-illustrated
- Incorporates best practices

Sign Bylaw Update Process

Event/Deliverable	Dates
Project Initiation – Kick-Off Conference Call	September 2018
Stakeholder Interviews & Community Workshop	October – Nov. 2018
Sign Regulations Analysis & Recommendations Report	December 2018
Public meeting – ZBWG	December 2018
Administrative Draft Sign Regulations for staff review	January 2019
Public Review Draft Sign Regulations	February 2019
Public hearing – Arlington Redevelopment Board	March 4, 2019
Town Meeting	April 22, 2019
Incorporate adopted Sign Regulations into ZBL	May 2019



Legal Context and Key Issues

Reed v. Town of Gilbert

Reed v. Town of Gilbert, US Supreme Court No. 135 S.Ct. 2218, 2015



"Temporary Directional Signs Relating to a Qualifying Event"

Source: <http://www.nytimes.com/2015/06/19/us/justices-side-with-arizona-church-in-dispute-over-sign-limits.html>

Reed v. Town of Gilbert

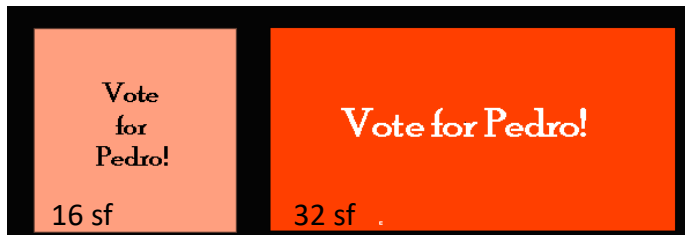
Reed v. Town of Gilbert, US Supreme Court No. 135 S.Ct. 2218, 2015

Ideological



Where?	How long?
Anywhere	As long as you want

Political



Where?	How long?
Residential (16 sf) NR / public / ROW (32)	60 before primary 15 after general

Temporary
Directional Sign
Relating to a
Qualifying Event



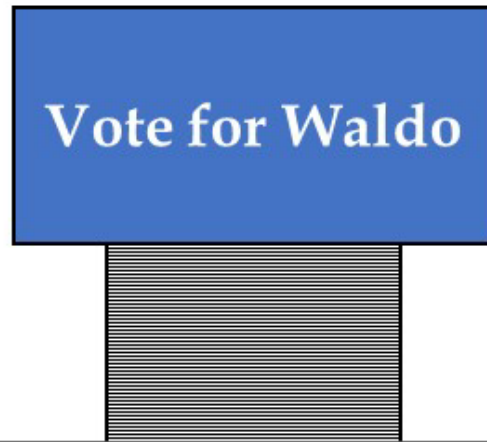
6 sf

Where?	How long?
Private or public land 4 at a time	12 hours before 1 hour after

Legal Considerations

Content-Based Regulations

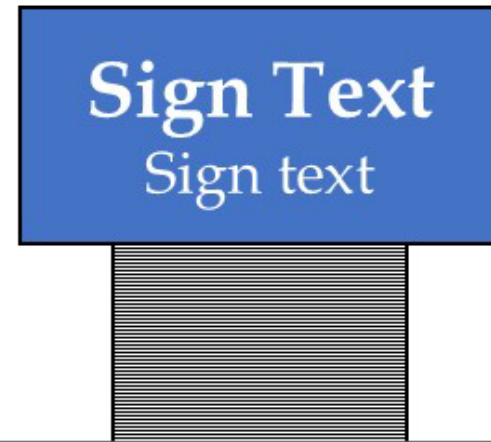
- What does sign say?
- Message determines if it stays up or down, or applicable regulations



"Political Sign"

Content-Neutral Regulations

- Time
- Place
- Manner



"Freestanding Sign"

Sign Bylaw – Table of Contents

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Authority

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Exemptions

6.2.2 Administration and Procedures

Sign Permits

Temporary Sign Permits

Sign Special Permits

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6.2.3 General Restrictions for Signs

Location restrictions

Prohibited signs

Display restrictions

6.2.4 General Requirements for Signs

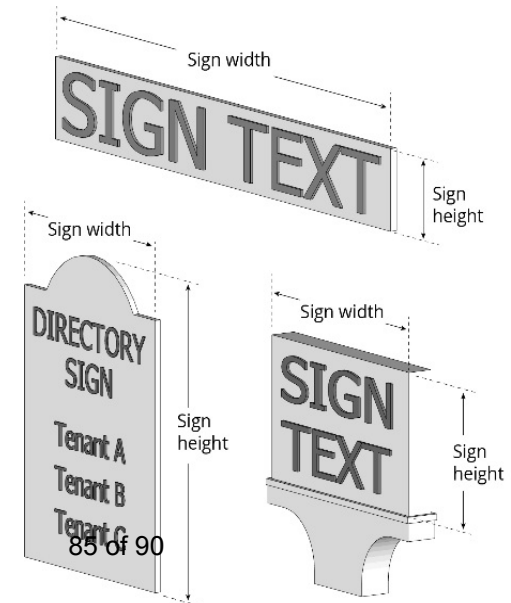
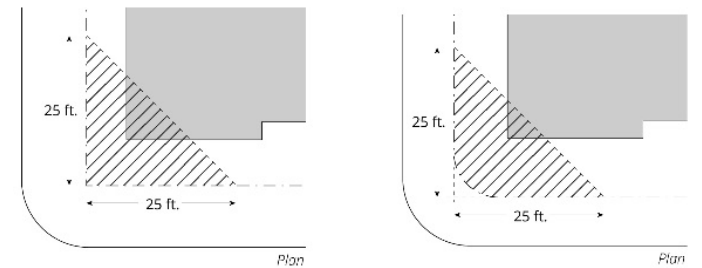
Sign area

Sign height

Sign illumination

Sign structure and installation

Sign maintenance



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6.2.5 Standards for Permanent Signs

Sign Districts		
Sign District Name	Districts	Description
Residential Sign District	Large Lot Single-Family District (R0) Single-Family District (R1) Two-Family District (R2) Three-Family District (R3)	These districts comprise the vast majority of residential land in Arlington. Signage is limited in these districts, as a variety of allowed signage types could detract from the desired residential character.
Residential/Business Sign District	Townhouse District (R4) Apartment District/Low Density (R5) Apartment District/Medium Density (R6) Apartment District/High Density (R7) Neighborhood Office District (B1) Neighborhood Business District (B2)	These districts generally are located along Massachusetts Avenue, and require a variety of sign types to achieve a diverse, mixed-use character appropriate for neighborhood residential, office, service, and retail uses.
Business Sign District	Major Business District (B2A) Village Business District (B3) Vehicular Oriented Business District (B4) Central Business District (B5)	These districts comprise the major commercial centers in Arlington and require a variety of sign types to achieve a diverse character appropriate for major office, service, and retail uses.
Industrial Sign District	Industrial District (I) Transportation District (T)	These districts allow a number of sign types to achieve a character appropriate for industrial manufacturing, warehousing, and transportation uses.
Multi-Use Sign District	Multi-Use District (MU) Planned Unit Development (PUD)	These districts allow a variety of signage types for larger-scale, multi-use developments.
Open Space Sign District	Open Space District (OS)	This district prohibits most sign types, allowing only those necessary to provide information for the primary open space and recreation uses.

Allowed Sign Types by Sign District						
Sign Type	Residential ¹ (R0, R1, R2, R3)	Residential/ Business ¹ (R4, R5, R6, R7, B1, B2)	Business ¹ (B2A, B3, B4, B5)	Industrial ¹ (I, T)	Multi- Use ¹ (MU, PUD)	Open Space ¹ (OS)
Building Mounted Signs²						
Awning Sign		Y	Y	Y	Y	
Bracket Sign		Y	Y		Y	
Canopy Sign			Y		Y	
Directional Sign		Y	Y	Y	Y	
Directory Sign		Y	Y	Y	Y	
Marquee Sign			Y			
Porch Sign	Y	Y				
Projecting Sign			Y	Y	Y	
Service Island Canopy Sign			Y	Y		
Wall Sign	Y	Y	Y	Y	Y	
Window Sign	Y	Y	Y	Y	Y	
Freestanding Signs						
Directory Sign				Y	Y	
Directional Sign		Y	Y	Y	Y	
Freestanding Projecting Sign				Y	Y	Y
Monument Sign			Y	Y		
Post Sign	Y	Y	Y	Y	Y	Y
End Note:						
¹ For Religious and Educational Uses in all Districts, all permanent sign types are allowed except for the following:						
<ul style="list-style-type: none"> Awning Sign Marquee Sign Projecting Sign Service Island Canopy Sign 						
² In all districts, a building may have no more than one of either an awning sign, wall sign, or a window sign.						


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6.2.5 Standards for Permanent Signs

D. Standards for All Permanent Building-Mounted Sign Types. The following sign types are allowed, subject to the criteria listed under each sign type.

- (1) Awning Sign. Awning signs must comply with the standards provided in the table below.


Awning Sign Standards	
Standard	Requirements
Sign Area ¹	1 sq. ft. of sign area per linear foot of awning width.
Mounting Height	Min. of 8 ft. from the bottom of the awning to the sidewalk.
Sign Placement	Only above the doors and windows of the ground or second floor of a building. Must not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located. Sign width shall not be greater than 60% of the width of the awning face or valance on which it is displayed.
Setback from back of curb	Min. 2 ft.
Illumination	Nonilluminated or illumination under the awning.
Permitting	Sign permit required. See Subsection 6.2.2(A).
End Notes: ¹ If an awning is placed on multiple store fronts, each business is allowed signage no greater than 60% of the width of the store front.	



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (2) Bracket Sign. Bracket signs must comply with the standards provided in the table below.

Bracket Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per business.
Sign Area	Max. 12 sq. ft.
Mounting Height	Min. of 8 ft. from the bottom of the sign to the sidewalk. Must be mounted perpendicular to the building face or corner of the building.
Sign Placement	If mounted below the underside of a walkway or overhead structure, must not extend beyond the edge of the structure on which it is located.
Sign Projection	Max. 5 feet from the building façade.
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



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- (3) Monument Sign. Monument signs must comply with the standards provided in the table below.

Monument Signs Standards		
Standard	Requirements	
	Sign Area and Number of Signs	Sign Height
Residential/Business Sign District:	Max. 1 per residence and 1 per frontage for businesses; Max. 8 sq. ft.	Max. 4 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Multi-Use Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 12 ft. to the nearest grade
Open Space Sign District:	Max. 1 per frontage; Max. 12 sq. ft.	Max. 6 ft. to the nearest grade
Industrial Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 6 ft. to the nearest grade
Institutional Use in All Districts:	Max. 1 per frontage; Max. 10 sq. ft.	Max. 6 ft. to the nearest grade
Sign Placement	Min. 5 ft.; max. 15 ft. setback from property line. See also Subsection 6.2.3.A.(3).	
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4.C.	
Permitting	Sign permit is required. See Subsection 6.2.2.A.	



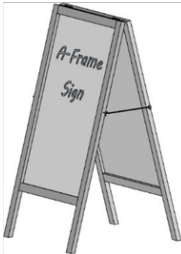
This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

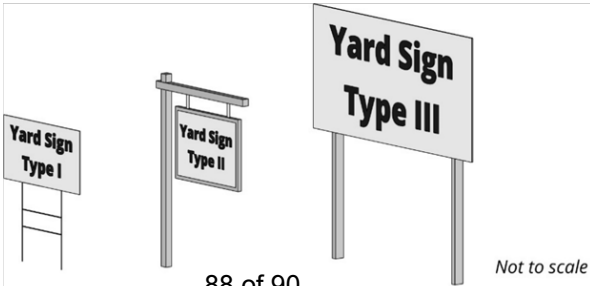
Special Provisions	Requirements
Name of Shopping Center	The name of a shopping center is included in the area and height limits for freestanding signs.
Landscaping	A landscaped area consisting of shrubs, and/or perennial ground cover plants with a max. spacing of 3 ft. on center is required around the base of the signs. The landscape area must be a min. of 2 sq. ft. for each 1 sq. ft. of sign area.

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6.2.7 Standards for Temporary and Portable Signs

Standards for All Portable Signs and Temporary Signs	
Applicable to All Districts	
Placement	Sign placement must not create a hazard for pedestrian or vehicular traffic, and must allow for a 4-foot wide sidewalk to comply with the Americans with Disabilities Act.
Prohibited Elements	Illumination, including flashing, blinking, or rotating lights; animation; reflective materials; and attachments, including balloons, ribbons, loudspeakers, etc.
Design and Construction	Signs must be of sufficient weight and durability to withstand wind gusts, storms, etc., for the safety of pedestrians, bicyclists, and vehicles.
Permitting	See Section 6.2.2(B).
All Residential Sign Districts	
Allowed Sign Types	Yard Sign Types I and II; and Window Signs.
Total Sign Area	Max. 16 sq. ft. per lot; excludes the area of temporary window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 16 sq. ft.
All Non-Residential Sign Districts	
Allowed Sign Types	A-Frame or Upright Signs; Yard Sign Type I, II, and III; Wall Banners; and Window Signs.
Total Sign Area	Max. 24 sq. ft. per business; excludes the area of temporary wall banner signs and window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 24 sq. ft. per business. Exception: Multi-tenant commercial buildings or offices - Max. 2 portable signs per 150 linear feet of property frontage not to exceed 24 sq. ft. combined.

Standards for Specific Portable and Temporary Signs				
Sign Type	Standard			Other Requirements
	Max. Height	Max. Width	Max. Area	
Portable Signs ¹				
A-Frame or Upright Sign	4 ft.	3 ft.	12 sq. ft.	
				
This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.				
Yard Sign Type I	4 ft.	2 ft.	3 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type II	6 ft.	2 ft.	4 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type III	6 ft.	8 ft.	32 sq. ft.	Sign must be installed securely in the ground.



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Not to scale

This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

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6.2.7 Nonconforming Signs

Section 2 Definitions

Sign, Bracket: A permanent sign mounted either perpendicular to the wall of building by means of a bracket or attached to the underside of a lintel, arch or other overhead structure above a porch or walkway and which is typically hung perpendicular to the wall of the building. A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign's design, below which hangs the sign in a manner to withstand public or property damage from wind.

Sign, Building Identification: A permanent sign consisting of letters applied to a building wall, engraved into the building material, or consisting of a sculptural relief which contains the name of the building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.

Sign, Building Mounted: A permanent sign attached to, connected to, or erected against the wall, parapet, or fascia of a building or structure. The exposed face of the sign is in a plane parallel to the vertical face of the building or structure.

Sign, Canopy: A sign that is printed, painted, or affixed to a canopy, typically used to accent building entries. Roof-like covering, as a canvas, on a frame that is affixed to a building projecting over a sidewalk portion of a way, and carried by a frame supported upon the ground or sidewalk.

Sign Copy: Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.

Sign, Directional: A permanent sign intended to inform the viewer of the approximate route, direction, or location of a facility or use.

Sign, Directory: A permanent sign which provides information in a list, roster, or directory format.

Sign, Externally Illuminated: A sign, the face of which reflects light from an external light source intentionally directed upon it.

Sign, Facing or Face: The surface of a sign board, background area, and structural trim upon, against or through which a message is displayed or illustrated on the sign.

Sign, Feather Banner: A portable sign typically constructed of cloth, plastic or similar non-rigid material, and attached to a vertically mounted pole that is securely fastened to the ground.

Sign, Freestanding: A sign erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building. A sign not a part of or attached to any building but generally located elsewhere on a lot.

Sign, Freestanding Projecting: A permanent sign featuring a single- or double-sided sign face, projecting outward at a perpendicular angle from a support structure.

Sign, Fuel Pump Topper: A temporary sign affixed to the top of an operable fuel dispensing pump used to advertise goods offered for sale on the same parcel on which the fuel pump is located.

Thank you/Questions

