

ARTICLE 7

SIGNS

Section 7.01 - Intent and Purpose

It is recognized that signs perform important functions in the community which are essential for the public safety and general welfare, such as communicating messages, providing information about goods and services available, and providing orientation. It is further recognized that because of their potential detrimental impact on the visual and perceptual environment, signs must be regulated in order to:

- a. Prevent hazards to vehicular and pedestrian traffic.
- b. Prevent conditions which have a blighting influence and contribute to declining property values.
- c. Provide for easy recognition and legibility of all permitted signs and other uses in the immediate vicinity.
- d. Preserve the amenities and visual quality of the town and curb the deterioration of the community environment.

It is the intent of this article to protect property values, create a more attractive business climate, enhance and protect the physical appearance of the community, provide a more enjoyable and pleasing community and to encourage the most appropriate use of land.

Section 7.02 - Applicability

All signs shall comply with the regulations for the erection and construction of signs contained in the Building Code of the Commonwealth of Massachusetts and other applicable town bylaws. No signs shall be hereinafter constructed, maintained or permitted except in accordance with the following regulations:

Section 7.03 - General Regulations

ART. 14, ATM 4/01

The provisions of Section 7.03 shall be the general controlling section for all signs. Specific regulations by zoning district are set forth in Sections 7.071 to 7.076.

ART. 6, ATM 4/01

- a. Any traffic, directional, informational, educational or identification sign owned and installed by a governmental agency shall be permitted. Acknowledgement of any commercial sponsorship on such a sign shall not exceed 3% of the sign area.
- b. A sign (including interior window displays or banners, either temporary or permanent) or its illuminator shall not by reason of its location, shape, size, or color interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal or traffic marking.
- c. No red or green lights shall be used on any sign if, in the opinion of the Inspector of Buildings with the advice and consent of the Director of Police Services, such light would create a driving hazard.

- d. No sign shall be illuminated between 12:00 midnight and 6:00 a.m., except signs identifying police or fire stations or hospitals, except signs on premises open for business and then only while open for business.
- e. All illumination shall be either interior, nonexposed or exterior, shielded and directed solely at the sign and shall be steady and stationary, of reasonable intensity.

ART. 9, ATM 4/08

- f. (DELETED)
- g. In buildings where the first floor is substantially above grade and the basement is only partially below street grade, one sign for each level is allowed if each sign has only one half the square footage of sign area as would be permitted for a single sign.
- h. The limitations as to the number of signs permitted do not apply to traffic or directional signs which are necessary for the safety and direction of residents, employees, customers and visitors, whether in a vehicle or on foot, of any business, industry, or residence. Such signs shall not carry the name of any business or product. Such signs shall not exceed one (1) square foot in area.

ART. 85, ATM 3/79

- i. One informational sign up to 4 square feet in area, indicating the existence of, and meeting time and place among other things of an Arlington civic organization, may be erected only after the granting of a special permit. The exact size, design, content and location shall be subjects of the special permit. Several such signs of service organizations may be consolidated into one sign in which case the maximum sign area shall be limited to four square feet times the number of organizations listed on the sign.
- j. Two signs identifying churches, synagogues, and other similar religious uses are permitted on each street frontage, one of which may not exceed 20 square feet in area and one which may not exceed 10 square feet in area. One sign may be free-standing and may be used for church notices and announcements of services and events at the church, synagogue or similar religious institution.
- k. One sign, up to one (1) square foot in area, is allowed per residence indicating the name and address of the occupants therein.
- l. One sign is allowed for each of the following in any zone:

- Membership club
- Community facility
- Funeral establishment
- Public utility
- Place of public assembly
- Premises for sale or lease

ART. 25, ATM 4/97

Provided such signs above shall not exceed six (6) square feet in area and it shall be located on the face of the building or free-standing and set back at least 10 feet from the lot line.

ART. 25, ATM 4/97

A construction project sign indicating the name of the engineer, architect, and contractor or other firms associated with the project, provided it does not exceed 32 square feet in area.

ART. 26, ATM 4/97

- m. One temporary sign is allowed per establishment for a period not to exceed 60 days, providing the sign does not exceed the size of the maximum allowed for the site in the district in which it is located. No more than one temporary sign permit may be issued for a site in a calendar year. Before a temporary sign (other than a temporary sign placed in a window) shall be erected, there shall be deposited with the Inspector of Buildings the sum of \$20 in cash for each sign. The deposit shall be refunded only upon the removal of the sign. Temporary signs larger in size or displayed more often than allowed by this bylaw may be authorized for public or charitable purposes.

ART. 14, ATM 4/01

- n. A sign area larger than that specifically allowed in 7.05 through 7.076 is allowed by special permit only upon completion of the procedures listed in 7.09.

ART. 10, ATM 4/01

- o. In any district that allows wall signs, a structure may have no more than two of the following categories of signs: wall sign, window sign, and awning sign.

ART. 11, ATM 4/01

- p. The lettering on any sign indicating that a business is open or closed may not exceed six inches in height.

Section 7.04 - Prohibited Signs

The following signs shall not be permitted, constructed, erected or maintained.

- a. Signs which incorporate in any manner flashing, moving or intermittent lighting, excluding public service signs showing time and temperature.
- b. Wind signs, including banners, pennants, spinners, streamers, and other wind-actuated components.
- c. String lights used in connection with commercial premises with the exception of temporary lighting for holiday decoration.

ART. 3, ATM 4/89

- d. Any sign which advertises a business no longer in existence, or a product or service no longer sold.
- e. Portable signs.
- f. Window signs which cover more than 25 percent of the area of the window.
- g. Signs for home occupations.
- h. Signs, except awning signs, painted or posted directly on the exterior surface of any wall.
- i. Signs erected so as to obstruct any door, window or fire escape on a building.
- j. Signs constructed, erected or maintained upon the roof of any building.
- k. Signs which project over a public right-of-way with the exception of wall signs which may project no more than 12 inches from a building face.

ART.14, ATM 4/01

- l. Signs in the R, B1 and OS districts containing a registered trademark or portraying a specific commodity for sale.

ART. 28, ATM 4/97

In all other districts, signs which contain a registered trademark or portray a specific commodity for sale occupying more than 10 percent of the sign area, unless said registered trademark or commodity is the principal activity conducted therein.

Specific regulations controlling nonaccessory signs are set forth in Section 7.11.

Section 7.05 - Signs permitted in any R District

One unlighted, permanent sign for any permitted use except a residence or home occupation sign or signs controlled by Section 7.071 not to exceed four (4) square feet in area and if a ground sign, set back not less than one half the depth of the front yard.

Section 7.05a - Signs for Bed and Breakfasts

ART. 13, ATM 5/91

A bed and breakfast or a bed and breakfast home in any zoning district may not have more than one permanent, unlighted sign, not to exceed four square feet in area, and if a ground sign, it must be set back not less than half the depth of the front yard.

Section 7.06 - Signs permitted in any B, I or PUD District

ART. 71, ATM 3/77

- a. One wall sign for each street or parking lot frontage of each establishment. Unless further limited by the provisions of Section 7.071 and 7.072, there shall not exceed a total of two permanent signs for any one business or industrial establishment, including freestanding signs but excluding window signs, directional signs, directories, marquees, and awnings.
- b. One directory of the occupants or tenants of the building affixed at each entrance not exceeding an area determined on the basis of one (1) square foot for each occupant or tenant.
- c. One marquee sign for each public entrance to a theater provided that the marquee shall not be more than four (4) feet overall in height.
- d. One awning sign for each display window of a store.

Section 7.07 - Special Controls by Zoning District

7.071 - Signs Permitted in B1, R6, R7 Districts

ART. 71, ATM 3/77; ART. 44, ATM 3/82; ART. 4, ATM 4/93; ART. 29, ATM 4/97

Not more than one accessory wall sign up to a maximum of 20 square feet in area, or ground sign up to a maximum of eight (8) square per feet in area, per building except that in R6 and R7 districts, buildings which were originally designed for commercial use, may have one permanent wall sign not to exceed two feet in height, and if containing a trademark or if portraying a specific commodity for sale, such trademark or commodity shall not occupy more than ten percent of the sign area, unless said trademark or commodity is the principal activity conducted therein.

7.072 - Signs Permitted in Any B2 or T District

ART. 71, ATM 3/77; ART. 8, ATM 4/01

One permanent wall sign not to exceed two (2) feet in height or a ground sign not to exceed twenty (20) square feet in area and if containing a registered trademark or portraying a specific commodity for sale, such trademark or portrayal shall not occupy more than ten (10) percent of the sign area unless said registered trademark or commodity is the principal activity conducted therein.

7.073 - Signs Permitted in Any B3, B5 I, or PUD District

One permanent wall sign for each street or parking lot frontage of each establishment, and if containing a registered trademark or portraying a specific commodity for sale, such trademark or commodity shall not occupy more than 10 percent of the sign area, unless said registered trademark or commodity is the principal activity conducted therein.

7.074 - Signs Permitted in Any B2A or B4 District

ART. 4, ATM 4/97; ART. 4, ATM 5/91

- a. One permanent wall sign for each street or parking lot frontage of each establishment not to exceed forty (40) square feet and to conform to the "wall sign" provisions of Article 7.
- b. One standing sign which does not exceed twenty-four (24) square feet in lieu of the wall signs permitted in 7.074a. If a standing sign is provided, there may be one permanent wall sign which does not exceed twenty (20) percent of the area of the standing sign.
- c. On property at any corner formed by intersecting streets, no free-standing sign shall be erected within that triangular area between the property lines and a diagonal line joining points on the lines 25 feet from the point of their intersection, or in the case of rounded corners, the triangular area between the tangents to the curve at such corner and a diagonal line joining points on such tangents 25 feet from the point of their intersection.
- d. Where a single lot is occupied by more than one (1) establishment, whether in the same structure or not, there shall not be more than one (1) free-standing sign for each lot street frontage.
- e. At gasoline service stations, one (1) standard sign is allowed for each gasoline pump, bearing in usual size according to state regulations, and usual form, the name and/or type of gasoline and the price thereof.
- f. If containing a registered trademark or portraying a commodity for sale, such trademark or commodity shall not occupy more than ten (10) percent of any sign area, unless said registered trademark or commodity is the principal activity conducted therein.

7.075 - Signs Permitted in MU Districts

ART.2, STM 9/04

- a. One (1) free-standing sign provided such sign is not more than four (4) feet by six (6) feet or twenty-four (24) square feet in area and the top of the sign is not over twelve (12) feet above the ground.
- b. One (1) wall or standing sign for identification of each building provided the surface area of such sign of one (1) side shall not be more than ten (10) square feet nor, if a standing sign, more than six (6) feet above ground.
- c. Directional signs that point out parking lots and specific services provided they are not larger than one (1) foot by three (3) feet and provided the top of the sign is not more than four (4) feet above the ground.

7.076 - Signs Permitted in OS Districts

ART. 14, ATM 4/01

- a. One unlighted permanent freestanding sign for any permitted use, not to exceed four(4) square feet in area and set back not more than fifteen(15) feet from the front property line.
- b. On properties which provide space and amenities for recreational, educational and organized social activities, a kiosk not to exceed twenty-four square feet may be substituted for a freestanding sign. Such a kiosk is intended to serve community needs; no material in the nature of commercial advertisement shall be a part of the kiosk with the exception of sponsorship acknowledgement which may not exceed 3% of the area of the kiosk.

Section 7.08 - Sign Permits and Maintenance

ART. 9, ATM 4/88

- a. All persons desiring to erect, install, place, construct, alter, move or maintain a sign shall apply to the Inspector of Buildings for a permit. A copy of the Application shall be submitted to the Department of Planning and Community Development.
- b. All applications for sign permits shall include at a minimum a drawing to scale indicating the following:
 1. the proposed sign;
 2. all existing signs maintained on the premises;
 3. the lot plan and building facade indicating location of the proposed sign;
 4. specifications for its construction, lighting and wiring.

All drawings shall be of sufficient clarity to show the extent of the work.

ART. 86, ATM 3/86

Upon receipt of a complete application for a sign permit, the Inspector of Buildings shall transmit a complete copy of the application to the Director of Planning and Community Development for his review and comment or that of his designee. The Director or his designee shall submit an advisory report with recommendations as to location, size, color, and lighting among others to the Inspector of Buildings within fourteen (14) days of receipt of the application. Failure to submit a report within the time period shall constitute approval of the permit by the Department.

- c. Such permit shall be issued only if the sign complies or will comply with all applicable provisions of this bylaw.
- d. The Inspector of Buildings is authorized to order the repair or removal of any sign and its supporting structure which in the judgment of the Inspector of Buildings is dangerous, or in disrepair or which is erected or maintained contrary to this bylaw.

Section 7.09 - Special Permits

ART. 12, ATM 5/91; ART. 15, ATM 4/93

In particular instances, the ZBA, or in cases subject to Section 11.06, the ARB may permit more than the number of signs hereinabove permitted or signs of a greater size or in a location other than hereinabove specified, if it is determined that the architecture of the building, the location of the building with reference 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 permitted in the public interest. In granting such permission, the ZBA or ARB as appropriate shall specify the size and location of the sign or signs and impose such other terms

and restrictions as it may deem to be in the public interest. However, in no case shall any sign permitted exceed a maximum of four (4) feet times the linear face of the building front.

ART. 12, ATM 5/91

Any applicant under this provision shall provide information required in Section 7.08 above, in addition to specific information in the form of perspectives, renderings, photographs, models or other representations sufficient to show the nature of the proposed sign and its effect on the immediate surroundings. Prior to the granting of a special permit under this provision, the ZBA shall receive comments on the sign from the Arlington Redevelopment Board and/or the Department of Planning and Community Development, and if subject to ARB approval, the ARB shall not act until it receives comment from the Department of Planning and Community Development.

Section 7.10 - Nonconformance of Accessory Signs

Accessory signs or other advertising devices legally erected before the adoption of this bylaw may continue to be maintained, provided, however, that no such sign or other advertising device shall be permitted if it is, after the adoption of this bylaw, enlarged, reworded (other than in the case of theatre or cinema signs or signs with automatically changing messages), redesigned or altered in any way including repainting in a different color, except to conform to the requirements of this bylaw; and provided further that any such sign or other advertising device which has deteriorated to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement cost of the sign or other advertising device at the time of the restoration shall not be repaired or rebuilt or altered except to conform to the requirements of this bylaw. Any exemption provided in this section shall terminate with respect to any sign or other advertising device which:

- a. shall have been abandoned;
- b. advertises or calls attention to any products, businesses or activities which are no longer sold or carried on at the particular premises; or
- c. shall not have been repaired or properly maintained within thirty (30) days after notice to that effect has been given by the Inspector of Buildings.

Section 7.11 - Nonaccessory Signs

No person, firm, association or corporation shall erect, display or maintain, within the limits of the town, a billboard, sign, or other outdoor advertising device, except those exempted by Section 30 and 32 of Chapter 93 of the General Laws, or by any additions to, or amendments of said sections.

No billboard, sign or other advertising device 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 frontage on both sides of the street in such block is first obtained and is filed with the Division of Highways of the Department of Public Works of the Commonwealth of Massachusetts, together with the application for a Permit for such billboard, sign or other advertising device.

Not more than one nonaccessory sign shall be permitted on each lot. No nonaccessory sign shall be erected, constructed or maintained within 50 feet of another nonaccessory sign, unless said nonaccessory signs are on one structure and placed back to back.

No nonaccessory signs shall be erected in any R district and, except as specifically exempt by the applicable regulations of the Massachusetts Board of Outdoor Advertising, no nonaccessory sign shall be erected in any B or I district:

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 now in force or hereinafter 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 floodline 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 one hundred fifty (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 three hundred (300) square feet or one-half (1/2) 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 in excess of twelve (12) feet;

Nearer than one hundred (100) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of eight (8) feet or a height of four (4) feet;

Nearer than three hundred (300) feet to any public way, if within view of any portion of the same, if such billboard, sign or other advertising device shall exceed a length of twenty-five (25) feet or a height of twelve (12) feet; or

In any event if such billboard, sign or other advertising device shall exceed a length of fifty (50) feet or a height of twelve (12) feet; except that the Selectmen may permit the erection of billboards, signs or other advertising devices which do not exceed forty (40) feet in length and fifteen (15) feet in height if not nearer than three hundred (300) feet to the boundary line of any public way.

No billboard, sign or other advertising device shall be erected, displayed or maintained until a Permit therefor has been issued by the Division of Highways of the Department of Public Works pursuant to the following provisions: Upon receipt from said Division of a notice that application for a permit to erect, display or maintain a billboard, sign or other advertising device within the limits of the town has been received by it, the Selectmen shall hold a public hearing on said application in the town, notice of which shall be given by posting the same in three or more public places in said town at least one week before the date of such hearing. A written statement as to the results thereof shall be forwarded to the Division containing, in the event of a disapproval of such application, the reasons therefor, within thirty (30) days from the date of notice of the town that an application for such a permit had been made.

This Bylaw shall not apply to signs or other devices 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, signs or other advertising devices legally maintained, at the time of its approval by the Attorney-General, until one year from the first day of July following such approval.