

Sign Regulations Update

Town of Arlington

Community Workshop | October 29, 2018



Agenda

- 1 Introduction and Background
- 2 Legal Context and Key Issues
- 3 Discussion
- 4 Next Steps

Arlingto



Centered

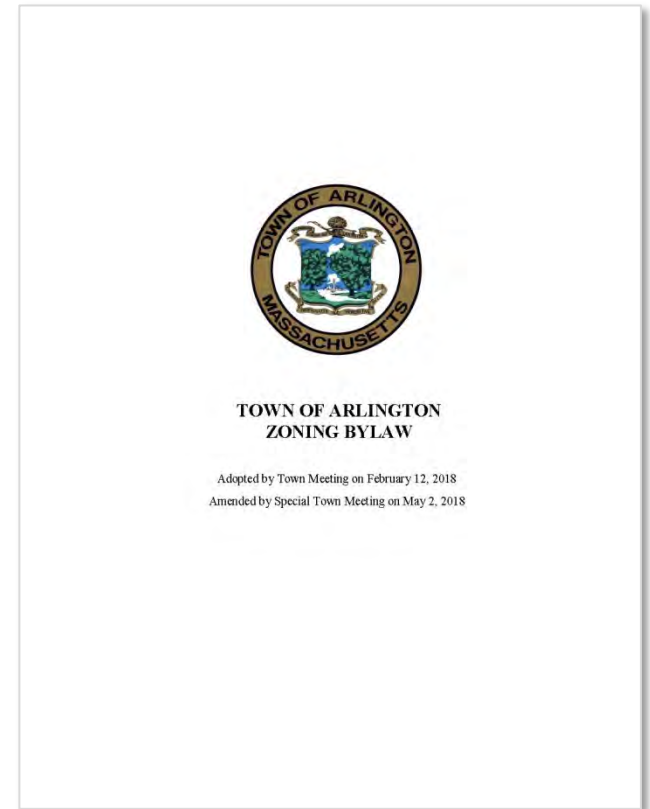
Introduction and Background

Purpose of the Workshop

- Inform residents about the project
- Explain the new legal landscape following *Reed v. Town of Gilbert*
- Present what we heard from initial stakeholder interviews
- Hear from you – what is working, what is not, and your ideas?

Project Overview

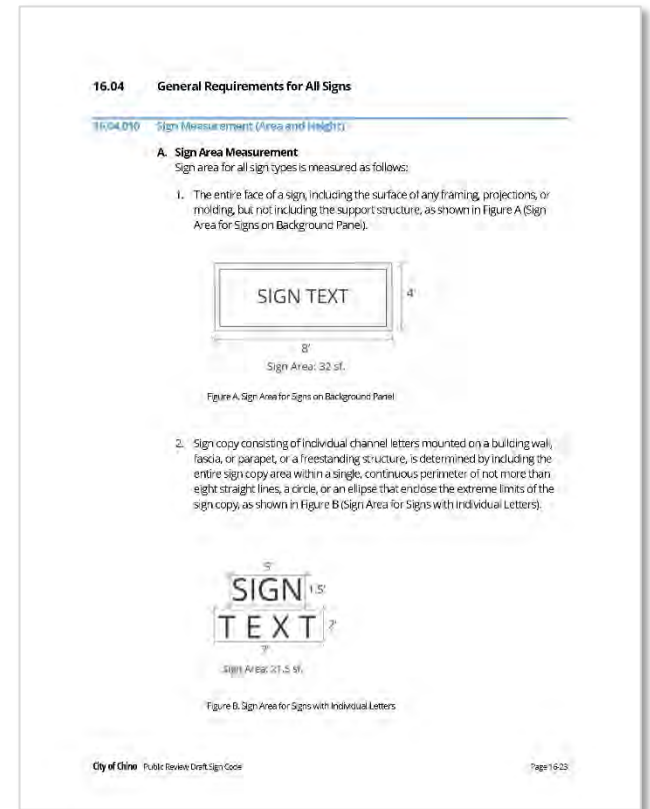
- Recodified Zoning Bylaw adopted in February 2018
- Process identified the need for an update to the Town's sign regulations
- Lisa Wise Consulting, Inc. hired to work with Zoning Bylaw Working Group



Arlington's Zoning Bylaw

Purpose of the Update

- Ensure consistency with state and federal law
- Responsive to Arlington's needs
- Clear and effective standards
- Well organized
- Richly illustrated
- Straight forward – easy to administer
- Establish the foundation for better organized sign review and permitting



Example of a well illustrated sign code

Purpose of the Update

- Organizational issues
- Legal issues
- Standards – aesthetic and context issues





Legal Context and Key Issues

Reed v. Town of Gilbert

- *Reed v. Town of Gilbert*, US Supreme Court No. 135 S.C.T. 2218, 2015



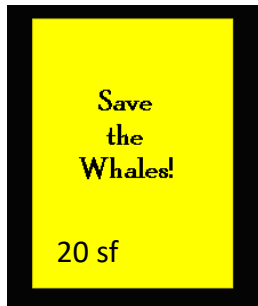
"Temporary Directional Signs Relating to a Qualifying Event"

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

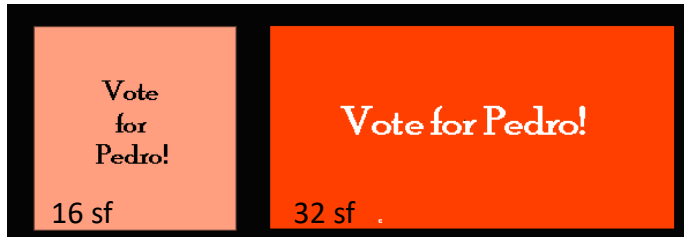
- *Reed v. Town of Gilbert*, US Supreme Court No. 135 S.C.T. 2218, 2015

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



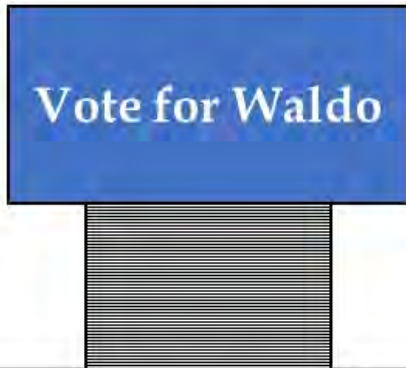
6 sf

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

Legal Considerations

Content-Based Regulation

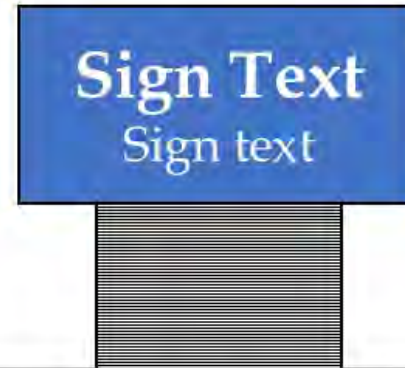
- What does sign say?
- Message determines if it stays up or down, or applicable regulations



"Political Sign"

Content-Neutral Regulation

- Time
- Place
- Manner



"Freestanding Sign"

Speech v. Local Environment

Freedom of speech is an existential right - election cycles exist – a community’s visual environment defines its special character



Legal Considerations

Sign Types Typically Revised to be Consistent with *Reed v. Gilbert*

Existing Sign Type

Proposed Sign Type

Temporary Signs

Real estate/construction/for sale or lease signs

Temporary yard

Political

Temporary yard, banner, portable

Ballfield booster or sponsor signs

Temporary, banner

Seasonal sales/special activities signs

Temporary yard, banner, portable

Permanent Signs

Single-family subdivisions & multifamily developments--development identification signs

Freestanding or wall

Gas station signs

Freestanding or wall

Concession/facility sign

Freestanding or wall

Institutional

Freestanding or wall

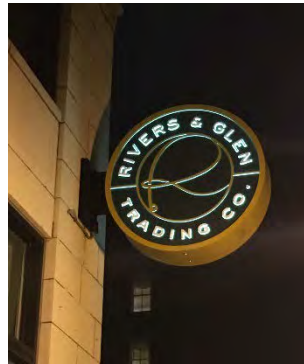
Key Issues Identified

- Some sign types are content-based
 - Gas station signs, religious use/civic organization signs, seasonal/special activities signs, real estate/construction/for sale or lease signs
- Organizational issues
 - Regulations in Zoning Bylaw and Town Bylaw
 - Historic District Commission sign regulations and guidelines
- Lack of illustrations
- Inconsistency across business districts
- Lacks severability and substitution clauses

Some well designed signs



Some well designed signs



Some well designed signs





★ LA VICTORIA ★
TAQUERIA

Discussion

Stakeholder Interviews

- Organizational issues
- Generally standards are working
- Clearly some need to be updated
- Keep the character of Arlington
- Streamline permitting
- Flexibility is key
- Certainty is also important
- Context-based signage standards
- Strong consistent enforcement
- You know what you don't want!





MIENOTTO
GRILL & TOMMY
TAPERS

Next Steps

Next Steps

Task	Timeline
Stakeholder Engagement	Ongoing
Sign Regulations Analysis & Recommendations Report	Early December
Administrative Draft Regulations	End of January
Public Review Regulations	Early February
Public Hearings with ARB (and Select Board as necessary)	March
Annual Town Meeting	End of April

Thank you



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