



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of June 16, 2012

DATE: June 6, 2012

SUBJECT: Request to Advertise public hearings on amendments to Sections 20, 20 (Appendix A), 31A, 34 and 37 of the Arlington County Zoning Ordinance to revise sign regulations.

C. M. RECOMMENDATION:

Adopt the resolution attached as Attachment A to authorize advertisement of public hearings by the Planning Commission on July 9, 2012 and the County Board on July 21, 2012 to consider proposed amendments to Sections 20, 20 (Appendix A), 31A, 34 and 37 of the Arlington County Zoning Ordinance to revise sign regulations, as shown in Attachments B and C.

ISSUES: An extensive public outreach process resolved a number of community concerns. A few areas on which staff is continuing to receive public feedback, are as follows:

- Accommodation of unanticipated sign types and technologies
- County Board review of requests for signs above a height of 40 feet, and hours of illumination and direction such signs face
- Signs for public uses (schools and parks)
- Accommodation of signs in the public right-of-way for community events
- Signs on utility poles.

SUMMARY: This is a request to authorize advertisement of public hearings on comprehensive revisions to the sign regulations in Sections 20, 20 (Appendix A), 31A, 34 and 37 of the Zoning Ordinance. The proposed amendments present a new format and organization for the regulations; refine current regulations to incorporate additional flexibility, facilitate creativity and innovation; allow administrative approvals for most signs; and codify consistent administrative practices not previously reflected in the Ordinance.

County Manager:

BMD/GA

County Attorney:

[Handwritten signatures]

Staff: Deborah Albert, Planning Division, DCPHD

PLA-6210

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BACKGROUND: In December 2010, the County Board accepted a work plan for a two-phased approach to comprehensively update the Arlington County Zoning Ordinance over two years, starting in January 2011. In October 2011, after an extensive public outreach process, the Planning Commission requested additional time for review of the comprehensive revisions to the sign regulations, extending the process to an anticipated consideration of proposed amendments to the sign regulations in July 2012.

Phase I	Phase II
Comprehensive revisions to sign regulations and codification of regulations based upon current policies and administrative practices	Technical updates to the remainder of the Zoning Ordinance to reorganize and reformat the regulations and incorporate tables and illustrations, with only minor substantive changes

The updates to the sign regulations are one piece of the 2011 County Board Chairman’s Small Business Initiative, as many concerns have been raised by business owners about sign regulations and the process of obtaining signs in Arlington. The proposed ordinance revisions address many of these issues by clarifying regulations and significantly increasing the proportion of signs that may be approved administratively.

The sign regulations work plan identified the following goals:

- Improve comprehension of the Ordinance for Arlington citizens and businesses
- Enhance ease of compliance with the Zoning Ordinance for Arlington citizens and businesses
- Incorporate best practices and Arlington-specific practices
- Enhance ease of administration of the Zoning Ordinance
- Reduce the frequency with which sign approvals require County Board consideration.

This work includes codifying existing practices, ensuring compliance with Virginia Code, constitutional and other requirements, reviewing existing policies and regulations, and reformatting the ordinance to make it easier to use and understand. In December 2011, the County Board adopted some initial amendments to the sign regulations to allow temporary sidewalk signs, umbrella signs and to facilitate use of way finding signs for public parking facilities.

Community Process. The process implemented for the update of the sign regulations achieved the goals identified in the work plan through effectively informing and engaging affected stakeholders. The community interaction was organized in four stages:

- Stage 1** Prior to development of recommendations, County staff conducted a public meeting to inform the community on the sign regulations conversation and to hear from the community about a vision for signs in Arlington.
- Stage 2** A Zoning Committee of the Planning Commission (ZOCO) forum provided opportunities for the community to provide input to ZOCO members and staff on draft regulations at the policy level

Stage 3 Staff conducted a third public meeting after making proposed preliminary zoning regulations available to the public in order to obtain feedback from the community

Stage 4 Prior to preparing a proposed Request to Advertise, staff asked the community to review further revisions to preliminary regulations based upon ongoing public outreach.

During each stage, outreach was conducted in various formats. The following focus group discussions brought together stakeholders who share common interests:

- Arlington Chamber of Commerce
- Citizens
- Civic Federation
- Commercial and residential real estate brokers and property managers
- NVBIA/NAIOP (Northern Virginia Building Industry Association/National Association of Industrial and Office Properties)
- Sign Industry
- Small businesses/Restaurants.

Public workshops were designed to bring together diverse groups of stakeholders in a single setting in order to allow community members with varying views to talk with each other, raise issues and comment on public review drafts. Public meetings covered the following topics:

- Purposes of signs and sign regulations in the County (April 12, 2011)
- Review of policy recommendations (September 13, 2011)
- Review of preliminary draft ordinance proposal (October 19, 2011)
- Review of a revised draft of the ordinance amendment prior to requesting authorization to advertise (May 3 and 5, 2012).

Advisory groups and commissions reviewed the sign regulations specific to their area of interest:

- Economic Development Commission (EDC) and Retail Task Force: The EDC, joined by members of the Retail Task Force, participated in three focus group discussions during each of the first three stages identified above. The EDC formally heard the draft regulations following the publishing of Public Draft 3, at their meeting on May 8, 2012.
- Form Based Code Advisory Working Group (FBC AWG): The FBC AWG discussed draft amendments to the sign regulations in the Form Based Code at four meetings, in October and November 2011 and February and March 2012.
- Historical Affairs and Landmark Review Board (HALRB): The HALRB reviewed draft regulations relevant to historic districts and other historic buildings where a Certificate of Appropriateness is required at their meetings on September 21, 2011 and April 18, 2012.
- Zoning Committee of the Planning Commission (ZOCO): ZOCO reviewed the draft through their regular process for reviewing Zoning Ordinance amendments. From March 2011 to May 2012, ZOCO met 19 times to review draft regulations, and attended a bus tour to observe lighted signs in the County. At their meetings on May 2 and 16, ZOCO covered a list of nine topics identified by the chair for further discussion prior to the June 4 Planning Commission hearing. These issues included: modifications; grouping of signs for public zoning districts with commercial, mixed-use and industrial districts; signs above a height of 40 feet and hours of illumination; signs in the public right-of-way

placed by private parties; signs in the right-of-way for caucuses; illumination; architectural lighting; jumbotrons; and nonconforming signs.

- Planning Commission: The Planning Commission will hear the Request to Advertise at their June 4, 2012 meeting.

DISCUSSION: The revisions to the sign regulations address a range of sign types and standards. Most of the updates provide clarification and refinements to existing regulations and codify consistent administrative practices and policies not currently reflected in the Zoning Ordinance.

Highlights. Some highlights of the proposed amendments are described below.

New format and organization. A new format and organization is recommended in order to make the sign regulations easier for residents and businesses to understand. The proposed amendment divides the County into three major groupings based on type of zoning district, allowing applicants to easily browse permitted signs and associated standards for the zoning district in which the subject property is located. Groupings include:

- Single-family residential districts (R districts)
- Multifamily residential districts (RA14-26-, RA8-18, RA7-16, RA6-15); and
- Commercial, mixed-use, industrial and public districts (C, M, S-3A, S-D, RA4.8, R-C, RA-H, RA-H-3.2, MU-VS, P-S).

Additionally, the proposed amendment includes special provisions for certain uses, including:

- Institutional uses, which include religious institutions, community centers, community pools and public uses, among others. Institutional uses may be located in various zoning districts throughout the County. New provisions would allow the same sign types for these uses regardless of the zoning district in which they are located, or allow the use to elect to follow the regulations for the zoning district in which the use is located.
- Temporary signs typically associated with construction, sale and leasing of property, consistent with the types of signs currently typically approved by the County Board.

Finally, the proposed amendment includes:

- Definitions and photographs for each sign type, embedded with standards to facilitate understanding, reduce the need for cross-referencing and to provide clear examples;
- Tables summarizing basic standards, such as sign area, number of signs, permit requirements and allowances for lighting, in order to facilitate quick review.

Increased flexibility in number and placement of signs and sign types. The proposed regulations incorporate flexibility for creativity by allowing a wider range of sign types, many of which currently require County Board approval; clarify methodology for calculating sign area; and incorporate emerging technologies. Specifically, the proposed regulations would:

- Increase the depth allowance for wall signs and provide clear standards for when a wall sign becomes a projecting sign.
- Eliminate the maximum number of signs within total permitted sign area. The current regulations limit each tenant to three signs regardless of the size of the signs.

- Increase flexibility in sign placement. The current ordinance prohibits any sign from being placed above a height of 35 feet, however, signs above a height of 35 feet are regularly approved by the County Board as a modification of regulations. Staff proposes that some signs be allowed to be placed higher on buildings in order to facilitate creative designs. The draft regulations would allow up to two signs per building to be placed above a height of 40 feet.
- Increase variety of sign types allowed. The current regulations do not allow signs on canopies or on slanted surfaces of awnings; and limits projecting signs, which are considered to be pedestrian-friendly, to three square feet. The proposed amendment would allow applicants to allocate sign area among a variety of sign types.
- Clarify the methodology for calculating window sign area. The current ordinance calculates window signs as a percentage of each pane of glass, regardless of the size of the panes. The revised provisions would allow window sign area to be calculated as a percentage of the window opening, eliminate permit requirements for all window signs, and remove the distinction between temporary and permanent window signs, all of which would address frustrations expressed by businesses throughout this process and through the small business initiative outreach.
- Clarify the methodology for calculating awning sign area. In the past, different zoning administrators have interpreted the ordinance differently with regard to calculation of signs on awnings. At times, the entire surface of the awning has been counted as part of the sign area if the sign was placed anywhere other than on the vertical flap on the front of the awning. The revised provisions would calculate signs on awnings the same as signs on walls, by calculating the area of the smallest rectangle that contains the sign. Corporate colors alone on awnings would not count as sign area.
- Allow for use of automatic changeable copy signs, currently prohibited by the ordinance, but commonly used in other jurisdictions by gas stations, religious institutions, schools, community centers and other entities who have frequently changing programming.



Figure 1. Examples of increased flexibility incorporated into proposed regulations. All of the signs shown in A-D would be permitted under the proposed regulations and could be approved administratively.

- Photo A shows a sign made up of multiple small wall signs, where each letter is counted as a sign. This sign was not consistent with current regulations due to restrictions on number of signs and depth limits on wall signs, and therefore required County Board approval.
- Photos B and C show a canopy sign and awning sign, respectively. Such signs were previously only permitted subject to County Board approval. Additionally, the current ordinance would require the area of the awning sign to be calculated based on the entire surface of the awning.
- Photo D shows a 20 square foot projecting sign, whereas the current regulations limit projecting signs to 3 square feet.

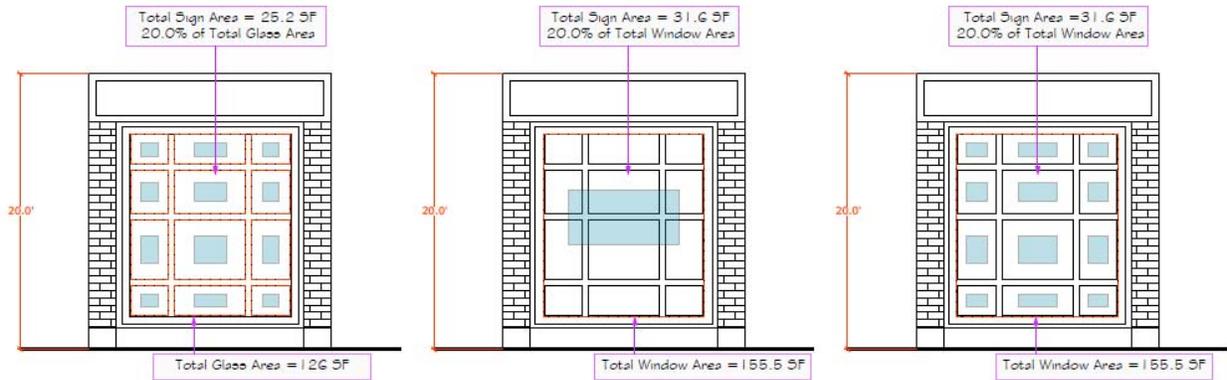


Figure 2. Revised methodology for calculating window sign area incorporated into the proposed regulations. The image on the left shows the current standard, whereby window signs may be up to 20% of each pane of glass. The draft ordinance would allow window sign area to be calculated based upon 20% of the window opening, creating additional options for windows with many panes of glass, as shown in the images in the middle and right. Maximum window sign area is limited to 80 square feet regardless of the size of the window opening.

Clarified standards for when architectural lighting would not be regulated as a sign. The Zoning Ordinance definition of “sign” includes lights. This is important, because in many cases lighting is an integral part of a sign and/or a company’s branded image, and in these cases, lights should be classified as signs. However, lighting can also be used for architectural embellishment. Due to the sign definition, in the past, it has sometimes been difficult to make distinctions between signs and architectural embellishment. The proposed ordinance includes standards to further distinguish when lighting is regulated as a sign versus when it may be approved as architectural embellishment. Lighting that meets the following standards would not be subject to the sign regulations, and could be approved by the County Board as part of a special exception site plan application:

- Contains no trademarked words, logos or symbols; and
- Consists of tubes or strips of light outlining a building or simply highlights a portion of a building or is an architectural embellishment.



Figure 3. The photo on the left shows horizontal blue lights approved previously as architectural lighting on the Waterview building in Rosslyn. The draft ordinance clarifies when such lighting is regulated under the sign regulations. The photo on the right shows lighting associated with a branded image, which would be regulated as a sign.

Regulations for temporary signs for construction, sale and leasing. The current regulations allow up to three signs and a total of 120 square feet as freestanding signs or mounted on construction fencing. After the issuance of the shell and core and first certificate of occupancy, that same sign area can be used for sale and leasing purposes for a period of one year. In recent years, there have been many requests to the County Board for significant increases in the amount of allowed sign area to create banners that screen construction sites and often has included images of the planned buildings and/or other unrelated images. Such requests have been approved by the County Board when the requested signs are to be placed on the fencing around the subject construction site.

The proposed amendment would incorporate standards for such signs, allowing them to be approved administratively. When the requested signs are freestanding, they would continue to be limited to the current 120 square feet, however, when they are mounted on construction fencing, providing screening of the construction site, additional sign area is permitted as a percentage of the area of the fencing, and additionally allowing images to be included that are not counted as part of the allowed sign area. Similar methodology is employed when screening is provided in ground floor windows of vacant spaces in commercial buildings. Finally, limitations on height of placement of temporary sale/leasing banners have been removed, so long as the banner is not within 200 feet and facing a single-family residential zoning district. Regulations have also been incorporated into the proposed amendment to allow the display of grand opening banners for a limited period of time, and to allow temporary banners to be displayed following approval of permanent signs until such time that the permanent signs may be installed.



Figure 4. Temporary construction and sale/leasing signs consistent with proposed regulations, as described above.

Form Based Code Sign Regulations. The Form Based Code sign regulations were comprehensively updated in 2009. At this time, the Form Based Code sign regulations are proposed to be amended only in those areas where updates are required to maintain compatibility with proposed revisions to the sign regulations in Section 34 of the Zoning Ordinance. Proposed amendments were discussed with the Form Based Code Advisory Working Group (AWG) over four meetings in November 2011 through March 2012, and AWG members have expressed general support for the draft amendments. Proposed Form Based Code amendments would re-cross-reference subsection references to sign regulations in the proposed revised Section 34 of the Zoning Ordinance; codify by-right standards for five sign types currently permitted in the Form Based Code only by special exception approval; and codify by-right standards for sign types not currently permitted by the Form Based Code sign regulations, but consistently

approved on existing Form Based Code projects. Proposed revisions to the FBC sign regulations are shown in Attachment B.

Development of a lighting standard. The current regulations do not regulate luminance level of signs, however, signs above a height of 40 feet typically are approved by the County Board only with a condition requiring that signs be installed with a dimmer mechanism in order to allow them to be dimmed if the County Manager finds that the sign lighting has an adverse impact on the surrounding area. Establishing maximum luminance levels in the ordinance provides a standard against which complaints may be measured. In order to help develop illumination recommendations, staff contracted the services of an architectural lighting design consultant, Lam Partners, based in Cambridge, Massachusetts. A field survey was conducted in order to gather baseline data on existing signs in commercial and residential neighborhoods in Arlington and a bus tour was conducted to help illustrate illumination levels to the community. Detailed data from the field survey may be found in a [separate report](#). Using the survey data collected in the field, maximum illumination levels were developed and are recommended to be incorporated into the proposed regulations. Three different illumination standards are recommended for, residential zoning districts and S-3A districts; signs in low-density commercial districts typically associated with service commercial land uses; and signs in all other zoning districts, in order of increasing intensity.

Comprehensive sign plans. A comprehensive sign plan is a consolidated sign plan for a project that may include multiple buildings and/or businesses, and in the past has been required for all buildings approved through the special exception site plan process. Comprehensive sign plans could be approved administratively if all requested signs met Zoning Ordinance Requirements. However, the comprehensive sign plan has also been the mechanism by which applicants have requested County Board approval for signs that do not meet zoning regulations. More recently, where no modifications to requirements are requested, comprehensive sign plans have been optional. The draft ordinance would codify this optional practice. Through a comprehensive sign plan an applicant would gain options to include banners on poles on private property and to install directory signs for multi-building projects, as well as flexibility in allocating sign area among buildings or tenants within a project. In addition, the comprehensive sign plan would continue to be the mechanism by which an applicant could request modifications to regulations governing hours of illumination of signs placed above a height of 40 feet, to reallocate sign area, or to request alternative placement of signs. Such modification requests would be limited in their extent, as described in the “County Board Review of Sign Requests” section on page 11 of this report.

Treatment of signs previously approved by the County Board. The current sign regulations allow the County Board to review requests that do not meet zoning regulations for number of signs, sign area, sign placement, sign type, or to approve signs or sign characteristics that are specifically prohibited. For this reason, there is a wide range of existing signs that may not be consistent with current or proposed requirements. It is not the intent of this revision to require that all existing signs immediately come into compliance with proposed standards, particularly those signs specifically approved by the County Board. For comprehensive sign plan or special exception approval by the County Board prior to adoption of these revised regulations, the proposed regulations would allow property owners to:

- Maintain all signs as approved through the comprehensive sign plan or site plan with no changes.
- Maintain the approved comprehensive sign plan, and swap out individual signs with signs meeting the revised ordinance. Such actions could be approved administratively.
- Develop a new comprehensive sign plan in which all signs meet the revised ordinance. The Zoning Administrator could administratively approve replacement of the existing comprehensive sign plan with the new comprehensive sign plan.
- Where an approved site plan incorporates a condition requiring a comprehensive sign plan that has not yet been submitted at the time of approval of a revised ordinance, an application for signs meeting the revised ordinance could be approved administratively with or without a comprehensive sign plan.

Community Concerns. Through the public outreach process, some elements of the proposed revisions have received more attention and discussion by the community. Those elements include signs allowed to be placed in the public right-of-way by private parties, County Board review of sign requests, and signs placed at the roofline of tall buildings and their associated hours and levels of illumination. Staff has carefully considered the range of concerns raised about these elements, and has tried to address the concerns to the extent possible. These elements are discussed in detail below.

Signs in the public right-of-way placed by private parties. The current regulations allow two types of signs to be placed in the public right-of-way by citizens and businesses: directional real estate signs and political signs. Directional real estate signs are allowed on weekends and are typically used to identify open houses, and political signs are allowed 31 consecutive days before an election called by a duly constituted government. In order to make the proposed regulations more content-neutral, such that the regulations do not single out specific businesses or specific speech for allowed use of the public right-of-way, the following is recommended:

- On weekends, directional commercial signs would be allowed *only* for activities lawfully occurring within residential zoning districts. This provision would accommodate signs for yard sales, open houses, estate sales, bake sales, and the like, that are occurring on weekends within residential zoning districts.
- Noncommercial signs would continue to be allowed during the time 31 days before an election called by a duly constituted government.
- New provisions would also allow noncommercial signs for up to seven consecutive days at a time to accommodate announcement of other events, such as lost pets, community dinners, civic association meetings, etc. This provision would also allow caucus participants to post signs during the time seven days prior to a caucus election.
- Finally, the proposed amendment would incorporate provisions to formalize signs that have been allowed by some Zoning Administrators in the past. Temporary signs could be attached to neighborhood identification signs for up to seven days at a time. This provision would further accommodate civic association activities.

The proposed commercial sign provisions for the public right-of-way were developed in response to community feedback on an initial proposal that would have allowed directional signs for any commercial business within ½ mile of the sign location. The initial proposal had generated concerns that the provisions would create clutter and that the additional signs allowed

by the expanded regulations would make enforcement difficult. The revised proposal described above would place some limits on commercial signs through content neutral regulations, while allowing signs for commercial activities occurring in residential areas of the County, where commercial activities are limited.

Additional provisions allowing noncommercial signs in the public right-of-way were developed in response to community feedback that the timing during which noncommercial signs are currently allowed (prior to elections and on weekends only), does not accommodate signs for civic associations and other community events that may occur during the week and outside of the election cycle, nor does it accommodate signs for caucus elections, which are currently allowed only on weekends, but are not covered under the existing political sign provisions. The revised provisions would accommodate activities, including caucus or other elections that occur outside of regular government election cycles. The proposed size of these signs has also been increased to match the size of the current political signs (4.5 square feet) in response to community feedback.

There continues to be a contingent of the community who prefers that no signs be permitted in the public right-of-way, or that such signs be limited only to noncommercial speech. There are others who continue to advocate for expanded provisions for noncommercial signs, such as allowing A-frame signs to be placed in medians and on sidewalks in residential neighborhoods, and those who continue to advocate for expanded provisions for commercial signs, allowing them to be placed in the public right-of-way on Tuesdays as well as on weekends. The proposed amendment provides a balance among many competing interests by expanding use of the right-of-way for noncommercial speech, and continuing to place limits on its use for commercial speech.

County Board review of sign requests. Currently, 60-70 percent of all sign applications are approved administratively. The remainder of sign applications are approved by the County Board through special exception, and include requests for modification of regulations articulated in the Zoning Ordinance. In order to achieve the goal of reducing the frequency with which sign applications require County Board attention, the proposed sign regulations codify consistent practices not reflected in the ordinance and establish clear standards where standards do not currently exist. Staff researched past County Board approvals to guide development of these standards. In addition to reducing County Board involvement, these codified standards would increase predictability for all properties, increase efficiency of sign application review and approval, and ensure consistent application of standards for like properties.

Throughout the process, the-small business community has expressed frustration with the sign permitting process, including the length of time and the costs associated with sign applications. Others in the community have continued to request that the ordinance allow for the County Board to consider a proposal for a sign that represents new technology or something particularly innovative as well as to express concerns about the approval process for signs allowed at the roofline of buildings and in other locations above a height of 40 feet, suggesting that the legislative review process for certain signs accommodates the following:

- Different neighborhoods have different preferences and a public process provides a forum for expression of those preferences

- A public process creates opportunities for dialogue between sign applicants and residents
- An ordinance cannot predict future possibilities and eliminating County Board review would prevent use of emerging technologies and limit creativity and innovation.

In response to community feedback, defined opportunities for the County Board to review sign requests have been incorporated into the proposed amendment. This flexibility is balanced with clear standards to regulate most signs and create predictability for business owners and residents. Legislative review options would allow the County Board to approve:

- One sign per building to be larger than the ordinance permits, within total allowed sign area
- Alternative placement for signs where building or lot configuration or topography may limit visibility or effectiveness of signs
- Modified hours for illumination of lighted signs where impacts can be mitigated.

New technology and placement of signs above a height of 40 feet are further discussed below.

New technology. Where new technologies or sign types new to the County have been addressed in the past, they have been the subject of significant review and comment, as demonstrated with the recent, December 2011 amendments to allow temporary sidewalk signs and umbrellas signs, as well as the current draft, which includes draft provisions to allow automatic changeable copy signs. An allowance for the County Board to consider innovative designs and new technologies has not been incorporated into the proposed amendment.

The sign regulations include a list of sign types and characteristics that are specifically prohibited, such as motion and flashing lights that could impact traffic safety. Most sign types are either included in the list of permitted signs, or the list of prohibited signs. Allowing the County Board to approve signs that are specifically prohibited, or sign types not specifically permitted in certain zoning districts, would undermine the regulations set forth in the ordinance.

Furthermore, the proposed amendment has been the subject of significant review and research, is reflective of current practices in the County, and incorporates a significant range of flexibility to promote creativity and innovation, as described in detail on pages 4-5 of this report. With the rapid pace of technological advancement, ordinances will always become outdated at some point and require updating. Such updating of requirements should be approached comprehensively to ensure that sign applications are reviewed based on the purposes for which we regulate signs, and consistent with limitations on regulating speech, rather than on the appeal or drawbacks of an individual sign proposal.

Signs placed above a height of 40 feet and signs facing federal lands¹. Signs placed at the top of the County's taller buildings have generated concern in the community, as these signs are designed to be seen from great distances and Arlington's commercial corridors and residential neighborhoods are in close proximity to each other. In order to fully explore community

¹Federal lands refers to the monumental core, the George Washington Parkway and Arlington Cemetery

concerns related to these signs, staff has conducted community outreach on a range of options, which are also included in the attached proposal for advertisement.

Community concerns are summarized below:

- Those in favor of a by-right process have indicated that it would reduce the need for continuous review by civic associations and others, allowing the discussion about where signs are allowed to be resolved with the adoption of defined standards within the Zoning Ordinance;
- Those in favor of only allowing such signs subject to County Board approval have indicated that the public process provides opportunities for residents to express concerns about a proposed sign; others have indicated that it allows for flexibility and creativity by allowing applicants to request sign area and/or placement of signs not allowed by the Ordinance;
- Current policy guidance recommends that such signs not face residential neighborhoods. The County Board has generally followed this guidance, and the community has expressed concerns about the difficulty of codifying standards to duplicate this;
- Current policy guidance recommends that such signs not face federal lands; many have suggested that this policy be codified and signs should never be permitted to face federal lands; other have suggested that there should be no additional limitations on signs facing federal lands; some have also noted that the County Board has approved such signs facing federal lands in the past;
- The public process encourages applicants to work with the community on proposed signs, creating an informal negotiation process prior to requests for County Board approval;
- Some have suggested that no signs should be permitted above a height of 40 feet in any areas of the County; others have suggested that there should be no restrictions on the height of signs.

Two options (options A and B) are included for regulating signs generally when placed above a height of 40 feet and four options (options C, D, E and F) are included for regulating signs facing the monumental core, George Washington Parkway and Arlington Cemetery. The following would apply under all options (A-F) below:

- Signs could not be placed above a height of 40 feet in residential or low-density commercial zoning districts typically associated with service commercial land uses. These districts include the following: R, RA14-26, RA8-18, RA7-16, RA6-15, C-1-R, C-1, C-1-O, C-O-1.0, C-2.
- Additional sign area would be allocated for signs above a height of 40 feet only for buildings that are taller than 70 feet in height, devoted to office/commercial, public or 50% to hotel uses above the ground floor, and not located in the zoning districts identified in the first bullet above. Other uses (outside of the aforementioned zoning districts) could place up to two signs above a height of 40 feet using standard allocated sign area.
- Where signs are permitted to be placed above a height of 40 feet, signs may not be lighted between midnight and 8 am. These hours could be modified subject to approval by the County Board.

Additional restrictions are incorporated into options A-F below. Options A-F are not mutually exclusive. The purpose of advertising a range of options is to provide maximum flexibility within the scope of advertising. At the time of adoption, elements of various options could be mixed and matched.

Option A: This option is intended to codify current policy guidance which recommends that signs should not face residential neighborhoods or federal lands.

- Map 34-1 (see Attachment C), which would be codified with the Ordinance, shows all the areas where signs above a height of 40 feet would be allowed. These areas are surrounded by a blue line.
- Signs would be allowed to be placed above a height of 40 feet when facing away from the line or facing in directions perpendicular to the line. Signs could not be permitted to face toward the line unless there is another building or structure of equal or greater height to that of the sign between the sign and the line.

Option B: This option would regulate sign placement based on distance and direction.

- Signs directly facing and within 200 feet of an R or RA14-26, RA8-18, RA7-16, RA6-15 district could not be lighted between 7 pm and 8 am. Hours of illumination could be modified by the County Board where the applicant demonstrated that impacts could be mitigated.
- Signs directly facing and within 200 feet of a residential use within a commercial or mixed-use district could not be lighted between 10 pm and 8 am. Hours of illumination could not be modified by the County Board.

Option C: No additional restrictions: Regulations for signs facing federal lands would be the same as regulations for such signs in other areas of the County.

Option D: Reduced hours of illumination: Signs facing federal lands and placed above a height of 40 feet could not be lighted between 10 pm and 8 am.

Option E: No illumination: No signs facing federal lands and placed above height of 40 feet could be lighted.

Option F: No signs above 40 feet: No signs facing federal lands may be placed above a height of 40 feet.

Planning Commission meeting of June 4, 2012. The Planning Commission unanimously (11-0) recommended that the County Board authorize advertisement of the proposed amendment, with seventeen specific areas where the scope of the advertisement should be broadened to allow for consideration of some additional elements at the time of adoption. These elements are summarized in Attachment D. Also included in Attachment D are staff responses and staff recommendations regarding inclusion in the advertisement for each item. The recommendations are numbered as “options” for reference, should the County Board wish to include any of the recommendations into the advertisement. A supplemental report will provide specific zoning language to address the Planning Commission recommendations.

Comment matrices including comments and staff responses on all topics are attached in attachments E and F, showing community comments and Zoning Committee of the Planning Commission comments, respectively.

Follow-up items. At the December 2011 County Board meeting, the County Board adopted Zoning Ordinance amendments to allow temporary sidewalk signs, among other amendments. At that time, the County Board asked the County Manager to evaluate the pros and cons of using volunteers to identify zoning violations pertaining to signs in the public right-of-way, and to report back at the time of the Request to Advertise for the remainder of the sign regulations. In addition, the Manager agreed to report back on the implementation of temporary sidewalk sign provisions.

Citizen enforcement. Several citizens have urged the County Board and the County Manager to give greater priority to enforcement of sign regulations governing those placed in the right-of-way and to adopt a volunteer sign removal program, contending that citizens could more quickly respond to illegally-placed signs than can County inspectors. The County's sign ordinance does not specifically prohibit residents from removing illegal signs from the public right-of-way and the Zoning Ordinance does not specifically address who can remove signs. However, the Zoning Ordinance does specifically provide for the Zoning Administrator to enforce the Zoning Ordinance. The Zoning Administrator has not designated anyone other than certain County staff to enforce the Ordinance. No other Northern Virginia jurisdiction is coordinating a volunteer sign removal effort at this time although the Virginia Department of Transportation continues to manage the Adopt-A-Highway Program. While the concept of volunteers assisting in removal of illegal signs has some appeal, as is often the case, the question is more complicated than it may seem on first examination. Among the issues are knowledge of the zoning ordinance; right-of-way line location information; potential liability to the County for injury or property damage; the time and skills to recruit, manage and retain volunteers; and the enforcement process as compared to the benefit of sign removal only. On balance, neither the potential liability nor the magnitude of the problem suggests that this is the best option to reduce the number of illegal signs in the right-of-way, and staff does not recommend that the County pursue such a program. Additional details are discussed in the report included as Attachment G.

Temporary sidewalk signs. The temporary sidewalk sign provisions adopted in December were very specific with regard to design of permitted signs. The adopted regulations require that legs of the sign be in the same plane as the sign face. Since adoption, several comments have been received regarding the use of wind-resistant signs, which are designed with a spring to prevent them from falling over in the wind. Such signs have a solid base that protrudes from the face of the sign. At this time, staff recommends revising the sidewalk sign provisions to also allow signs with a solid base. Such signs would be consistent with the intent of the adopted provisions, in that they would be detectable for a pedestrian with vision impairments.



Figure 5. Wind-resistant sidewalk sign.

The December 2011 staff report (supplemental) also outlined an outreach and enforcement plan for introduction of temporary sidewalk signs as a new sign type for the County. The report outlined a strategy to use a combination of education, enforcement and tracking during the six-month period following adoption. The following summarizes these activities.

- Education: A fact-sheet was developed and used in conjunction with educational visits to establishments using sidewalk signs, as well as to provide information to those who inquired about use of sidewalk signs.
- Enforcement: Zoning enforcement staff each spend one day per week focusing on signs (the weekly focus includes all signs, not just sidewalk signs), and in addition have included a special focus on sidewalk signs on three weekends in April, including Friday evenings and Saturday mornings and evenings.
- Tracking: During the period between December 22, 2011 and April 28, 2012, 123 violations were recorded. Of those, 97 complied after initial contact and 26 cases remain open. The open cases are those where two educational visits have been completed, and are being addressed through courtesy letters, followed by notices of violation where compliance is still not achieved. In general, incorrect placement or size of the sidewalk sign were the most common violations. A small number of violations were for establishments where a sidewalk sign would not be permitted. The table below summarizes violations recorded and status of follow-up activities.

Violation	Number
Total Observed	123
	Complaint-based follow-up: <=9
	Proactive staff enforcement: >=114
Total Complied	97
	Complied after initial contact: 92
	Complied after 2 nd contact: 3
	Complied after 3 rd contact: 2
Total Pending	26

CONCLUSION: Staff recommends that the County Board adopt the resolution attached as Attachment A to advertise public hearings by the Planning Commission on July 9, 2012 and the County Board on July 21, 2012 to consider a proposed amendment to Sections 20, 20 (Appendix A), 31A, 34 and 37 of the Arlington County Zoning Ordinance to revise sign regulations as attached in Attachments B and C, and as identified as options 5, 6, 8 and 9 in Attachment D.

RESOLUTION TO AUTHORIZE THE ADVERTISEMENT OF PUBLIC HEARINGS TO CONSIDER AMENDING, REENACTING AND RECODIFYING THE ARLINGTON COUNTY ZONING ORDINANCE, SECTIONS 20, 20 (APPENDIX A), 31A, 34 and 37 AT THE JULY 9, 2012 PLANNING COMMISSION AND JULY 21, 2012 COUNTY BOARD MEETINGS, IN ORDER TO COMPREHENSIVELY REVISE THE SIGN REGULATIONS; AND TO REDUCE OR PREVENT CONGESTION IN THE STREETS; TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; TO ENCOURAGE ECONOMIC DEVELOPMENT; AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE, AND GOOD ZONING PRACTICE.

The County Board of Arlington hereby resolves to authorize advertisement of public hearings to consider amending, reenacting and recodifying Arlington County Zoning Ordinance provisions in Sections 20, 20 (Appendix A), 31A, 34 and 37 at the July 9, 2012 Planning Commission and July 21, 2012 County Board meetings, in order to comprehensively revise the sign regulations; and to reduce or prevent congestion in the streets; to facilitate the creation of a convenient, attractive and harmonious community; to encourage economic development; and for other reasons required by the public necessity, convenience and general welfare, and good zoning practice.

In Attachment B:

- Text denoted with underline is text proposed to be added.
- Text denoted with ~~striketrough~~ is text proposed to be deleted.
- Text denoted with ~~double-striketrough~~ or double-underline is text proposed to be ~~deleted from one place~~ and moved to another.

1 **SECTION 20. “CP-FBC” – COLUMBIA PIKE FORM BASED CODE DISTRICTS**

2
3 * * *

4 **E. Administration**

5
6 * * *

7
8 **3. Standards for Review of Use Permits**

9
10 * * *

- 11
- 12 b. Pursuant to a use permit application, the County Board may modify only
- 13 the following requirements of the Form Based Code: Provided, however,
- 14 that after such modifications, the County Board is still able to make the
- 15 finding called for in subsection 3.a. above.
- 16 (1) Height of first floor relative to fronting sidewalk elevation;
- 17 (2) RBLs for the location of new alleys or streets, for historic
- 18 buildings and for existing parking garages as of February 25, 2003;
- 19 (3) Breaks between buildings;
- 20 (4) Streetscape details;
- 21 (5) Design issues related to the inclusion of existing or historic
- 22 buildings or mature trees;
- 23 ~~(6) Signs.~~

24
25 * * *

26
27 **Form Based Code Section VI. Architectural Standards, F. Signage**

28
29 **2. STANDARDS FOR SIGNAGE (WHERE CLEARLY VISIBLE FROM THE STREET)**

30 ~~Signs that are permitted in Section 34.A.1 34.A.4, 34.D.4, 34.E, 34.F.1, 34.F.5 and 34.J of the~~

31 ~~Zoning Ordinance are permitted on property developed under the Form Based Code.~~

32
33 ~~In addition,~~ Form Based Code projects may have the following number of signs, provided they

34 comply with the standards set forth below:

35
36 AWNING signs; 1 sign per building which may be a masonry or bronze plaque, or alternatively,

37 a wall or blade type building sign; per building bearing an owner's or building's name and

38 STREET address signs. In addition, 1 blade sign; 1 graphics sign; and up to a total of 3 wall or

39 window signs per tenant. One additional wall or window sign and 1 additional blade sign are

40 permitted for tenants occupying retail or office spaces with more than one STREET FRONTAGE.

ATTACHMENT B

42 An additional 3 signs (wall or blade), meeting the standards below, are permitted for each
43 entrance to SHARED PARKING within a structure.

44

45 Signage Standards:

- 46 • Wall signs (~~placed against a wall~~) are permitted either only within the area above the
47 GROUND STORY windows and below the second STORY windows, or on the vertical
48 front of or on top of a CANOPY. All wall signs shall be placed within a horizontal band
49 not to exceed 2 feet in height. This band shall not be located higher than 18 feet or
50 lower than 12 feet above the adjacent sidewalk, unless placed on the front of or on top
51 of a CANOPY. If placed on top of a CANOPY, the 2-foot band shall not extend more than
52 2 feet beyond the top of the CANOPY.
- 53 • Letters on wall signs shall not exceed 18 inches in height or width and 3 inches in relief.
54 Wall signs shall not come closer than 2 feet to an adjacent COMMON LOT LINE or the
55 boundary of the area permitted to be used by the retail or office tenant and shall not
56 exceed 20 feet in length.
- 57 • Window Signs are permitted to be placed or painted within GROUND FLOOR or second
58 STORY office and retail windows and the entire window sign shall fit within a rectangle
59 of 8 square feet.
- 60 • ~~One masonry or bronze plaque bearing an owner's or building's name may be placed in~~
61 ~~the building's cornice/PARAPET wall or under the eaves, and above the upper STORY~~
62 ~~windows. Any such plaque shall be no larger than a rectangle of 8 square feet.~~
- 63 • STREET address signs may be placed at STREET entry doors using 6 to 8 inch tall, non-
64 cursive type lettering. Such letters shall be located between 6 feet and 10 feet above
65 grade.
- 66 • Blade type shop signs are encouraged, and shall be permitted for retail and office
67 tenants. Except for blade type building signs permitted as an alternative to the masonry
68 or bronze plaque below, tThey shall be not more than 6 square feet and shall be located
69 so that there is a minimum of 9 feet clear height above the sidewalk and below the
70 blade type sign. Blade signs may be hung from an overhang or AWNING. Blade signs
71 shall not be internally illuminated and the company name or logo may occupy no more
72 than one-half of the square footage within the blade sign. Creative art, graphics or
73 materials are encouraged in the area of the blade sign not containing the company
74 name or logo. Only one blade sign shall be permitted per tenant per STREET FRONTAGE
75 and only for tenants occupying the GROUND FLOOR or second STORY
- 76 • One graphics sign (a graphics sign is a sign designed to be read only from a distance of
77 less than 3 feet away), such as, but not limited to restaurant menus or building
78 directories, may be displayed in a permanently mounted display box of not more than 3
79 square feet on the surface of the building adjacent to the entry. Graphics signs shall not
80 be exposed to the elements.
- 81 • One masonry or bronze plaque, or alternatively, on a MAIN STREET or AVENUE building,
82 one wall or blade type building sign may be placed on a building as shown in the
83 following table. Such wall or blade sign shall not cross from one vertical discrete façade
84 composition to another. ~~bearing an owner's or building's name may be placed in the~~
85 ~~building's cornice/PARAPET wall or under the eaves, and above the upper STORY~~
86 ~~windows. Any such plaque shall be no larger than a rectangle of 8 square feet.~~

87

ATTACHMENT B

<u>Sign Type</u>	<u>Number of STORIES</u>	<u>Placement</u>	<u>Maximum size of sign (in square feet)</u>		
<u>Masonry or bronze plaque</u>	Any	<u>In the building's cornice/PARAPET wall or under the eaves, and above the upper STORY windows.</u>	8		
<u>Wall or blade sign</u>	No more than 50 % of the sign area shall be placed above the top of the STORY identified below		<u><70 feet of building frontage</u>	<u>70-150 feet of building frontage</u>	<u>>150 feet of building frontage</u>
	<u>2</u>	<u>GROUND</u>	35	35	50
	<u>3-4</u>	<u>2ND</u>			70
	<u>5</u>	<u>3RD</u>		50	
	<u>6</u>	<u>4TH</u>		100	
	<u>7</u>	<u>5TH</u>			
	<u>8</u>	<u>6TH</u>			
	<u>9</u>	<u>7TH</u>			
<u>10</u>	<u>8TH</u>				

88
 89 ~~Prohibited Signs: The following signs are prohibited unless otherwise permitted by the County~~
 90 ~~Board by Special Exception: canopy signs, marquees, signs located above a height of 35 feet~~
 91 ~~except of masonry or bronze plaques as permitted above, freestanding signs, painted window~~
 92 ~~signs other than described above, and signs painted on the exterior walls of buildings. Under no~~
 93 ~~circumstances shall flashing, traveling, animated, or intermittent lighting be on the exterior of~~
 94 ~~any building whether such lighting is of temporary or longterm duration, and under no~~
 95 ~~circumstances shall the County Board permit portable or wheeled signs and advertising devices~~
 96 ~~located outside any building, billboards, any kind of animation or signs specified in Section 34.C.~~
 97 ~~of the Zoning Ordinance.~~

98
 99 Signs shall be further limited and regulated by the following provisions in Section 34 of the
 100 Zoning Ordinance, which shall be incorporated as if fully set forth herein: 34.2, 34.4, 34.7.F,
 101 34.7.H, 34.7.J, 34.7.L, 34.7.O.3(a), 34.A.1(a)(2), (3) and (4), 34.3.A.2, 34.3.B, 34.9.A.10,
 102 34.9.B, 34.10, 34.12, 34.14, 34.15, 34.16, 34.18

103
 104 External lighting directed towards signage that is not internally illuminated is permitted. The
 105 energy efficiency of lighting should be considered.

106
 107 **AWNINGS/Overhangs:**

108 Notwithstanding the foregoing, when an AWNING or overhang is incorporated into a building,
 109 the following requirements must be met:

- 110 • Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from the
- 111 building façade (maximum to curb or tree-planting strip/furniture zone, whichever is
- 112 closer).
- 113 • Canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
- 114 • No internal illumination through the AWNING/Overhang.

- Except for wall signs permitted to be attached to CANOPIES, lettering and/or logos on AWNINGS and CANOPIES shall be limited to 5 inches tall on the vertically hanging fabric/face at the curb side of the AWNING or CANOPY.
- No one-quarter cylinder configurations.

* * *

VII. Administration

* * *

B. Special Exception/Use Permit Option

* * *

The Use Permit process will give the opportunity for appropriate deviations from the **Code** that are consistent with the County's goals and plans to revitalize Columbia Pike as detailed in the Columbia Pike Initiative that was recently adopted by the County Board. Examples of these deviations may include problems related to topography or STREET grade, the location of ALLEYS and STREETS, breaks and passages between buildings, signs, STREETSCAPE details, design issues related to the inclusion of existing buildings or mature trees as part of a development proposal. Where properties of less than 40,000 square feet have such difficulties, they too, could seek a use permit to gain approval of their development with needed variations.

* * *

II. Definitions

* * *

AWNING

A cantilevered, projected or suspended cover over the sidewalk portion of the STREET, or a rooflike coverings, usually of canvas, or metal, or similar material and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. It is distinguished from a CANOPY because it is not permanent, nor a structural portion or architectural feature of the building and does not support substantial weight.

* * *

CANOPY

A cantilevered, projected or suspended cover over the sidewalk portion of the STREET, or a rooflike covering placed over the sidewalk, windows, or doors to provide protection from sun and rain. It is distinguished from an AWNING because it is a permanent, durable, structural portion of the building as opposed to a light covering of canvas, metal or other similar material.

ARLINGTON COUNTY SIGN ORDINANCE



Section 34 of the Zoning Ordinance

Rewrite Update and Reformat

Prepared by

duncan | associates

Request to Advertise

ATTACHMENT C

8 June 2012

Editor's note: All text in this attachment is proposed. Due to significant reformatting of proposed regulations, the proposed text is not denoted with underline/strikethrough.

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§34. SIGNS

§34.1. Purpose

- A. To protect the safety and welfare of the public by minimizing hazards to pedestrian and vehicular traffic;
- B. To regulate the location of signs to prevent the distraction of drivers on public streets while providing adequate information and assistance to pedestrians and information to drivers while they remain in their cars but out of active traffic;
- C. To avoid unnecessary visual clutter and to avoid the unregulated construction, placement and display of signs that can become a public nuisance.
- D. To provide a means of way-finding in the community, thus improving the pedestrian experience, walkability of the community, usability of transit, and reducing traffic confusion and congestion;
- E. To provide one of the implementation tools for the Arlington County Comprehensive Plan by establishing sign regulations that are consistent with development and growth goals of the General Land Use Plan (a key element of the Comprehensive Plan), which calls for concentrating high density residential, commercial and office development within designated Metro Station Areas, while preserving and enhancing existing one-family and apartment neighborhoods and neighborhood retail areas;
- F. To allow signs as accessory and incidental uses to the primary residential, commercial, industrial and related uses in the County;
- G. To encourage the effective use of signs as a means of communication for businesses, organizations and individuals in Arlington County;
- H. To balance the sign needs in the intensely urban parts of the County with the desires and concerns residents in lower density areas;
- I. To further economic development by providing for adequate business identification, advertising, and communication;
- J. To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the County and its residents, property owners and visitors;
- K. To provide incentives to screen the clutter of large construction sites from public view;
- L. To differentiate from other signs the small placards, labels and displays that provide warnings, instructions and the like, in sizes and locations that do not add to clutter and that are unlikely to distract drivers;
- M. To minimize adverse effects of signs on nearby property;
- N. To prohibit most signs with commercial messages in residential districts, while allowing those messages that relate to commercial activities lawfully conducted on individual properties within such districts; and
- O. To provide broadly for the expression of individual opinions through the use of signs on private property.

40 §34.2. Applicability

41 A. Generally

42 This Section 34 shall apply to all signs, as defined herein, that are erected, placed, painted or
43 otherwise used in Arlington County. No sign shall be erected, placed, painted or otherwise
44 used unless expressly allowed under this Section 34.

45 B. Other standards and other permits required

46 Other provisions of Arlington County ordinances or state or federal law may apply to some
47 signs. Anyone installing or modifying a sign must comply with applicable provisions of this
48 Section 34 as well as with all applicable standards and permit requirements of other laws or
49 ordinances. Such additional permits and standards may include but are not necessarily
50 limited to:

- 51 1. Electrical permits for any type of electrified or lighted sign;
- 52 2. Permits, encroachments or other approvals for any sign placed in a right-of-way; and

53 C. Signs and similar devices to which ordinance not applicable

54 The following displays, graphics or elements of larger products are less likely than typical
55 advertising signs to undermine the stated purposes of this Section 34 and are not subject to
56 further regulation under this Section 34.

SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE

Signs inside buildings

Any sign located entirely inside a building and not legible from property other than the property on which the sign is located. Signs inside buildings that are legible from property other than that on which the sign is located shall be regulated as signs under this Section 34.



Signs on certain vehicles

Any sign on a currently licensed vehicle that is used in the normal course of operation of an establishment for transportation. Signs on vehicles that are regularly parked in front of or near an establishment and not regularly used for transportation shall be considered freestanding signs and shall be regulated as such under this Section 34.



SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE

Murals or works of art

A mural or work of visual art that otherwise meets the definition of “sign” in this Section 34 but that conforms with either of the following standards shall not be subject to regulation under this Section 34:

- (1) Art that is installed or located in accordance with the Arlington County Public Art Policy; or
- (2) Art that meets all of the following criteria:
 - (a) Is located on the wall of a building in any zoning district other than “R” Districts or RA14-26, RA8-18, RA7-16 or RA6-15; and
 - (b) Includes no text legible from a public roadway; and
 - (c) Includes no logo or trademarked symbol; and
 - (d) Includes no specific commercial product, although it may include such generic products as automobiles, furniture, soft drinks or other items where the brand is not apparent; and
 - (e) Includes no picture, symbol or device of any kind that relates to a commercial business, product or service offered on the premises where the wall is located.

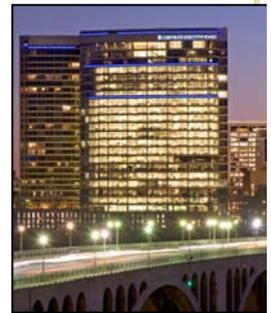


Architectural lighting and embellishments and lighting of rooflines

Architectural lighting and embellishments

The following shall be allowed and shall not be considered signs only if they are shown on a site plan approved by the County Board under Section 36.H of the Zoning Ordinance and contain or include no word, logo or trademarked symbol:

- (1) Tubes or strips of lights that outline a building or a part thereof;
- (2) Lighting that highlights parts of a building that does not include a sign as defined in this Section 34; and/or
- (3) Architectural embellishments such as special rooflines, parapets, building extensions or accessories.



Lighting of rooflines

In Metro Corridors as designated on the General Land Use Plan, the County Board may approve by special exception the lighting of roof lines of buildings at heights greater than 75 feet.

Signs carried by persons

Devices or objects resembling a sign while carried by a person, whether such device or thing includes commercial or noncommercial messages or both. Such devices or objects may be regulated by other parts of the Arlington County Code.



Product displays

Outdoor display of products where allowed under other provisions of the zoning ordinance and other sections of the County Code. Products and the labels thereon in permitted outdoor displays shall not be regulated under this Section 34. This Section 34 shall, however, apply to any sign, banner, pennant, or other attention-attracting device affixed to a product displayed outdoors. For example, the label “Chevrolet” on an automobile or “John Deere” on a tractor shall not be considered a sign for purposes of this Section 34, but a separate sign attached to such a product shall be considered a sign and subject to regulation.



SIGNS AND SIMILAR DEVICES TO WHICH ORDINANCE NOT APPLICABLE

Information on vending machines and similar devices

Signs on vending machines used for the sale of products if they do not flash and if they are either not legible from any property other than the property on which the sign is located; or if they consist entirely of letters, numerals or symbols that identify the products sold in the vending machine. All other signs on vending machines shall be regulated under this Section 34.



Information on news racks

Signs on news racks and similar machines and devices used for the sale or dispensing of products if they do not flash and if they are either not legible from any property other than the property on which the sign is located; or if they consist entirely of letters, numerals or symbols that are less than four inches in height. All other signs on such devices shall be regulated under this Section 34.

Signs at polling places

Unlighted temporary political campaign signs erected on the day before or on the election day on the lot of the officially designated polling place for a period not to exceed 24 hours. Each sign may be no larger than four and one-half square feet in area.

Certain signs in historic areas

This Section 34 shall not apply to signs to which Section 31A.E.10 is applicable.

- 57 **D. Strict construction of applicability**
- 58 The provisions on applicability shall be strictly construed. If there is any doubt or dispute
- 59 about whether the sign regulations are applicable to a display, graphic or other device, it
- 60 shall be considered a sign subject to regulation under this Section 34.

61 **§34.3. Modifications**

62 **A. Special exceptions**

- 63 1. The standards in this Section 34 may be modified by approval of a Comprehensive Sign
- 64 Plan. Comprehensive sign plans may be approved through the use permit process in
- 65 Section 36.G., or for properties that are the subject of a special exception site plan
- 66 through the site plan approval process in Section 36.H. In addition to the applicable
- 67 standards in Section 36, the County Board may approve modifications to standards in
- 68 this Section 34 where it finds that the modification of regulations is in keeping with the
- 69 character of the neighborhood and will not adversely impact the neighborhood in
- 70 which the sign is located.
- 71 (a) For those signs included in aggregate sign area on properties subject to §34.6 or
- 72 §34.7, the County Board may:
 - 73 (1) Reallocate sign area among sign types. The County Board may approve an
 - 74 increase in the maximum permitted sign area identified for the subject sign
 - 75 type for one sign per building, if it also finds that:

- 76 (i) The aggregate sign area for the building or project does not exceed the
77 area allocated by §34.13.B.4; and
78 (ii) The reallocation of sign area and/or lighting of the sign does not adversely
79 impact adjacent residential properties.
- 80 (2) Modify placement standards for signs where topography or lot configuration
81 significantly limits placement or effectiveness of signs(s) on the subject
82 building or property, such that:
- 83 (i) The location of the building, main building entrance or tenant entrance is
84 not visible to pedestrian traffic; or
85 (ii) The surrounding street network or other transportation options limit
86 visibility of signs placed in permitted locations; or
87 (iii) The building has frontage on a plaza or other pedestrian pathway where
88 signs are not otherwise allowed.
- 89 (3) Modify hours of illumination where expressly permitted in §34.7.O.3.
- 90 (4) Under no circumstances, shall the County Board approve:
- 91 (i) A sign type or characteristic explicitly prohibited in §34.4;
92 (ii) Sign lighting exceeding maximum standards in §34.10
93 (iii) Modification of hours of sign illumination unless expressly permitted in
94 §34.7.O.3.
95 (iv) A sign type not listed as an allowed sign type for the district in which the
96 property is located; or
97 (v) More aggregate sign area than is allocated by §34.13.B.4.
- 98 2. For treatment of signs allowed by a site plan or comprehensive sign plan approved by
99 Special Exception before [date of adoption], see §34.16.D.

100 **B. No variances**

101 The standards in this Section 34 are not subject to variance under Section 36.E. of the Zoning
102 Ordinance.

103 **§34.4. Signs prohibited in all districts**

104 The following types of signs and sign characteristics are prohibited and shall not be permitted by
105 variance or special exception (see §34.3):

- 106 **A.** Any sign which is not accessory or incidental to the existing or otherwise approved lawful use
107 of the property on which it is located;
- 108 **B.** Any portable sign except those sidewalk signs expressly allowed under §34.7.J;
- 109 **C.** Balloons and other devices that are not specifically permitted elsewhere in this Section 34
110 and that are located or designed to attract attention to goods or services;
- 111 **D.** Signs attached to, painted on or otherwise affixed to any rock, tree or other natural feature;
- 112 **E.** Any sign erected or painted upon a standpipe, fire escape or utility pole, except the
113 manufacturer's or installer's ID plate which shall not be legible from a distance of more than
114 three feet; and official notices or announcements required by law and allowed by §34.9.A.1.
- 115 **F.** Any sign painted on or attached to a fence, except:
- 116 1. Certain freestanding signs as expressly allowed by this Section 34;

- 117 2. Signs on fences or other screening devices at construction sites, as allowed by §34.14.E;
118 and
- 119 3. Signs smaller than two square feet in R, RA-615, RA7-16, RA8-18 and RA14-26 districts
120 and smaller than four square feet in all other districts and containing no commercial
121 message.
- 122 **G.** Signs projected onto walls, fences or other surfaces;
- 123 **H.** Searchlights and other projections into the sky; and
- 124 **I.** Signs for which a separate structure is mounted on a roof or parapet;
- 125 **J.** Sign structures which do not support a sign, including otherwise permitted or nonconforming
126 sign structures, after the sign has been removed for a period of 30 days;
- 127 **K.** Any sign that falsely presents or implies the need or requirement of stopping or caution or
128 the existence of danger or which is a copy or imitation of or that for any reason is likely to be
129 confused with any sign displayed or authorized by a public authority;
- 130 **L.** Any sign that violates any provision of any law of the Commonwealth of Virginia or the
131 United States relating to outdoor advertising;
- 132 **M.** Any sign that violates any provision of the Virginia Uniform Statewide Building Code;
- 133 **N.** Any sign or device to attract attention, whether or not it has written message content, of
134 which all or any part moves by any means, including fluttering, rotating or otherwise moving
135 devices, or set in motion by movement of the atmosphere including, but not limited to,
136 pennants, propellers, discs, balloons, and similar devices. This prohibition does not apply to:
- 137 1. Flags otherwise allowed under this Section 34;
- 138 2. Automatic changeable copy signs that conform with §34.11.B; or
- 139 3. Banners where allowed by this Section 34, provided that such banners are firmly
140 affixed at all corners to mitigate the effect of flapping in the breeze.
- 141 **O.** Any flashing sign or device displaying flashing or intermittent lights or lights of changing
142 degrees of intensity. This prohibition does not apply to:
- 143 1. Devices that automatically reduce the intensity or brightness of the sign at night and
144 that increase it during the day;
- 145 2. Automatic changeable copy signs that conform with §34.11.B;
- 146 **P.** Sign lighting which does not conform with the standards of §34.10.A;
- 147 **Q.** Signs that produce sound, cause interference with radio, telephone, television or other
148 communication transmissions; produce or reflect motion pictures; emit visible smoke, vapor,
149 particles, or odor; and
- 150 **R.** Reflective signs or signs that produce light of such brightness as to constitute a hazard or
151 nuisance to any person, building or property other than the person, building or property to
152 which the sign may be related, as determined by the Zoning Administrator.
- 153 **S.** Any sign advertising any commercial activity, product, or service not on the lot on which the
154 sign is placed or not in a location that is part of the same approved comprehensive sign plan
155 or site plan;

156 **§34.5. Signs in one-family (R) districts and for one- and two-family**
 157 **uses in all districts**

158 **A. General**

159 **1. Signs allowed**

160 The sign types listed and described in this §34.5 are allowed on private property in one-
 161 family R districts (excluding R-C) and for one- and two-family uses in all districts,
 162 subject to all permit requirements, standards and conditions set forth for each sign
 163 type.

164 **2. Lighting**

165 Signs allowed under this §34.5 shall not be separately lighted unless the standard in the
 166 general standards table says “yes” or “see standards” next to the “separately lighted?”
 167 query. The fact that a sign may be partly or wholly illuminated by a porch light or other
 168 light serving another purpose shall not be considered “separately lighted.”

169 **3. Changeable copy**

170 Signs allowed in these districts shall not include changeable copy elements unless the
 171 standard in the general standards table says “yes” next to the “automatic changeable
 172 copy?” query. See §34.11 for standards that apply to all automatic changeable copy
 173 signs under this Section 34.

174

SIGNS ALLOWED IN R DISTRICTS AND FOR ONE-FAMILY AND TWO-FAMILY USES IN ALL DISTRICTS

B. Flags

1. Defined

A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

2. General standards

Maximum number of poles	3
Maximum height of poles	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy	No
Commercial messages?	No



175

C. Freestanding and temporary signs

1. Defined

A sign that is affixed to the ground, a wall that is not part of a building, or fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

2. General standards

Maximum size	6.5 sq. ft.
Maximum height	5 feet
Number	1 permanent, any number of temporary
Permit required?	No
Separate lighting?	No
Automatic changeable copy	No
Commercial messages?	See other standards below

3. Other standards

- (a) One permanent freestanding sign is permitted and may only contain a noncommercial message
- (b) Any number of temporary signs with noncommercial messages are permitted.
- (c) Up to three temporary signs with commercial messages are permitted at one time. The only commercial messages permitted are messages related to:
 - (1) Commercial activity lawfully conducted on the premises, including the lawful, occasional sale of personal property (such as through a garage sale or a yard sale). Such signs shall be removed within 24 hours after the end of the sale or conclusion of commercial activity; or
 - (2) Sale, rental or lease of the premises. Such signs shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed.



D. Incidental signs

1. Defined

A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

2. General standards

Maximum size (wall)	1.5 sq. ft.
Maximum size (freestanding)	1.5 sq. ft.
Maximum height (freestanding)	4 ft.
Number allowed	unlimited
Permit required?	No
Separate lighting?	No
Automatic changeable copy	No
Commercial messages?	No



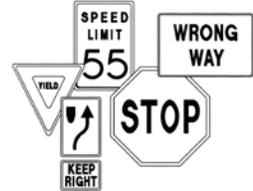
E. Traffic-control signs

1. Defined

A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

2. General Standards

Maximum size	As set forth in MUTCD (see below)
Maximum height	As set forth in MUTCD (see below)
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD (see below)
Automatic changeable copy	As set forth in MUTCD
Commercial messages?	No



3. Other standards

- (a) Traffic control signs are allowed only in areas required by the Zoning Ordinance and/or shown on an approved site plan;
- (b) Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices (MUTCD); no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

177

178 **§34.6. Signs in multi-family districts RA14-26 RA8-18 RA7-16 RA6-15**
 179 **and for town house uses in all districts**

180 **A. General**

181 **1. Signs allowed**

182 The sign types listed and described in this §34.6 are allowed on private property in the
 183 RA14-26, RA8-18, RA7-16, and RA 6-15 districts, and on town house properties in all
 184 zoning districts, subject to all permit requirements, standards and conditions set forth
 185 for each sign type;

186 **2. Lighting**

187 Signs allowed under this §34.6 shall not be separately lighted unless the standard in the
 188 general standards table says “yes” or “see standards” next to the “separately lighted?”
 189 query. The fact that a sign may be partly or wholly illuminated by a porch light or other
 190 light serving another purpose shall not be considered “separately lighted.”

191 **3. Changeable copy**

192 Signs allowed under this §34.6 shall not include changeable copy elements unless the
 193 standard in the general standards table says “yes” next to the “automatic changeable
 194 copy?” query. See §34.11 for standards that apply to all automatic changeable copy
 195 signs under this Section 34.

196

SIGNS ALLOWED IN RA14-26, RA8-18, RA7-16 AND RA6-15 DISTRICTS

B. Awning or canopy signs

1. Defined

Awning sign: A sign that is painted on or affixed to the surface of an awning; or Canopy sign: A sign that is painted on or affixed to the flat vertical surface of or sits on top of a canopy.

2. General standards

Maximum number	1 per building per street frontage if no freestanding sign(s) or wall sign
Maximum size	24 sq. ft.
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	No
Automatic changeable copy?	No
Included in aggregate sign area?	Yes



3. Other standards

This section does not govern the installation of awnings, canopies and other appurtenances; the purpose of this section is to provide regulations for signs on awnings or canopies; installation, design and dimensions of the awning or canopy are determined by applicable provisions of the Zoning Ordinance and/or from an approved site plan and/or other applicable County ordinance regulation or requirement.

C. Banners

Banners are allowed in these districts only during period of construction and leasing; see “Temporary signs for construction and sale/leasing” §34.14.



D. Flags

1. Defined

A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

2. General standards

Maximum number of poles	3
Maximum height of poles	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	No



SIGNS ALLOWED IN RA14-26, RA8-18, RA7-16 AND RA6-15 DISTRICTS

3. Other standards

Flagpoles shall be located as shown on an approved site plan; if there is no approved site plan for the property and no site plan is required, flagpoles shall be located within 30 feet of the principal entrance to the main building.

E. Freestanding signs

1. Defined

A sign that is affixed to the ground or a wall that is not part of a building, or a fence; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

2. General standards

Maximum size at pedestrian entrance	6.5 sq. ft.
Maximum size at driveway or vehicular entrance	12 sq. ft.
Maximum height at pedestrian entrance	5 ft.
Maximum height at driveway or vehicular entrance	8 ft.
Number allowed	1 per driveway or vehicular entrance; plus 1 per postal street address or 1 per 20 dwelling units, whichever is fewer
Minimum setback	3 ft. from back of sidewalk; 5 ft from any other property line
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	See standards below
Included in aggregate sign area?	Yes

3. Other standards

- (a) For town house uses, freestanding signs are permitted only in R, RA14-26, RA8-18, RA7-16 and RA6-15 districts.
- (b) The primary purpose of these signs is to provide address and way-finding information. Up to 10 percent of the allowed area of the sign may be used to provide contact information on management and/or sales or leasing agents.



F. Incidental signs

1. Defined

A sign that provides information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

2. General standards

Maximum size (wall)	4 sq. ft.
Maximum size (freestanding)	4 sq. ft.
Maximum height (freestanding)	4 ft.
Number allowed	As needed
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No



G. Temporary signs

See Temporary signs for construction and sale/leasing in §34.14.

H. Traffic-control signs

1. Defined

A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

2. General standards

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Changeable copy?	As set forth in MUTCD
Commercial messages?	No
Included in aggregate sign area?	No



3. Other standards

- (a) Traffic control signs are allowed only in areas required by the Zoning Ordinance and/or shown on an approved site plan; and
- (b) Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices (MUTCD); no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

I. Wall signs

1. Defined

Any sign that is affixed directly to or suspended from a wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

2. General standards

Maximum size	24 sq. ft.
Number allowed	1 per building if no awning sign, canopy sign or freestanding sign(s)
Permit required?	Yes
Separate lighting?	Yes
Changeable copy?	No
Commercial messages?	See standards below
Included in aggregate sign area?	Yes



3. Other standards

Wall sign may contain a commercial message related to an activity lawfully conducted on the premises including the sale, lease or rental of the property or any unit or part thereof.

J. Window signs

1. Defined

Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window.

2. General standards

Maximum size	6.5 sq. ft.
Number allowed	Unlimited temporary signs in windows only of residential dwelling units
Permit required?	No
Separate lighting?	No
Changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No

199 **§34.7. Signs in C, M, mixed-use districts (RA4.8, R-C, RA-H, RA-H-**
200 **3.2, MU-VS) and public districts (S-3A, S-D, PS)(excluding one- and**
201 **two-family and town house uses)**

202 **A. General**

203 **1. Signs allowed**

204 The sign types listed and described in this subsection §34.7 are allowed on private
205 property in the all commercial, industrial, mixed use (RA4.8, R-C, RA-H, RA-H-3.2, MU-
206 VS) and public (S-3A, S-D, PS) districts, except for one- and two-family ad town house
207 uses, subject to the permit requirements, standards and conditions set forth for each
208 sign type .

209 **2. Lighting**

210 Signs allowed under §34.7 shall not be separately lighted unless the standard in the
211 table says “yes” or “see standards” next to the “separately lighted?” query. The fact
212 that a sign may be partly or wholly illuminated by a porch light or other light serving
213 another purpose shall not be considered “separately lighted.”

214 **3. Changeable copy**

215 Signs allowed under this §34.7 shall not include changeable copy elements unless the
216 standard in the table says “yes” next to the “automatic changeable copy?” query. See
217 §34.11 for standards that apply to all automatic changeable copy signs under this
218 Section 34.

219 **4. Aggregate sign area allowed**

220 The maximum aggregate sign area allowed for a single building, or combination of
221 buildings, is the larger of:

- 222 (a) One square foot of sign area per linear foot of building frontage; or
- 223 (b) For a building with one or more establishments with at least one exterior public
224 entrance and less than 60 feet of frontage, 60 square feet for each such
225 establishment plus one square foot per linear foot of building frontage, excluding
226 any frontage occupied by those establishments.
- 227

228

SIGNS ALLOWED IN “C”, “M”, MIXED-USE (RA4.8, R-C, RA-H, RA-H-3.2, MU-VS) AND PUBLIC (S-3A, S-D, PS) DISTRICTS

B. Arcade signs

1. Defined

A sign that is suspended underneath an awning, canopy, marquee, overhang, or other structural element of a building which forms a covered passageway for pedestrians.

2. General standards

Maximum number	1 per public entrance under canopy
Maximum size	1.5 sq. ft.
Minimum clearance above sidewalk	8 ft.
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	Yes



3. Other standards

Allowed only where multiple establishments share a common canopy ceiling over a sidewalk.

C. Awning or canopy signs

1. Defined

Awning signs: A sign that is painted on or affixed to the surface of an awning or Canopy sign: A sign that is affixed to the flat vertical surface of or sits on top of a canopy.

2. General standards

Maximum number	1 per awning or canopy; for awnings or canopies longer than 8 linear feet, 1 per 8 ft. of linear awning or canopy
Maximum size	60 sq. ft. without a comprehensive sign plan; no limit other than aggregate sign area with a comprehensive sign plan
Permit required?	Yes
Separate lighting?	Yes
Commercial messages?	Yes
Automatic changeable copy?	No
Included in aggregate sign area?	Yes



3. Other standards

The purpose of this section is to provide regulations for signs on awnings or canopies; installation, design and dimensions of the awning or canopy are determined by applicable provisions of the Zoning Ordinance and/or from an approved site plan and/or other applicable County ordinance regulation or requirement.

229

D. Banners

1. Defined

A sign of any kind applied to fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

2. General standards

Maximum number	2 per pole, in locations as approved on comprehensive sign plan
Maximum size	6 sq. ft. on each side; may be 2-sided
Minimum clearance above sidewalk	8'6"
Permit required?	Yes, single permit may cover multiple banners
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No
Included in aggregate sign area?	No

3. Other standards

- (a) Banners in this subsection §34.7.D are allowed only for property included in an approved comprehensive sign plan and only in accordance with the provisions of the approved plan;
- (b) Banners in this §34.7.D are allowed only on poles. Such poles shall be:
 - (1) approved on or consistent with a County-approved site engineering plan for the project;
 - (2) installed primarily for other purposes, such as site lighting; and
 - (3) located in a parking lot, along a private street or on private property along a public or private plaza or courtyard;
- (c) Two banners shall be allowed on a pole only if the two banners are of the same size and are mounted at the same height;
- (d) Banners on poles must be attached at all corners such that they do not move or flap.

4. Other permits or approvals

Banners on poles under this §34.7.D will be allowed only with the express consent of the owner(s) of the underlying real property and the pole(s).



E. Directory signs

1. Defined

A map and/or sign at a building or project with multiple uses that identifies uses or activities conducted on-site and approved as part of a comprehensive sign plan; or a sign located on the wall of a building near a public entrance to the building.

2. General standards

Maximum size	Wall: 6 sq. ft.; freestanding 12 sq. ft.
Maximum height	Freestanding: 7 ft.
Number allowed	Wall: 1 per building; freestanding: 1 per every two buildings in a multi-building project
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, with frequency of change of copy less than once per 24 hours
Commercial messages?	Yes
Included in aggregate sign area?	No



3. Other standards

- (a) Directory signs are allowed only for buildings or projects with approved comprehensive sign plans and only in locations shown on the approved plan.
- (b) No part of a directory sign except the word “directory” or “map” or something similar shall be legible from a distance of more than 6 feet.
- (c) Directory signs that change only through manipulation by the user shall be deemed not to be automatic changeable copy signs and shall not be subject to the limitations in 34.11.B.1

F. Flags

1. Defined

A piece of cloth or other material used as a noncommercial symbol, standard, or signal, such as the flag of a local, state, or national government or private noncommercial organization.

2. General standards

Maximum number of poles	3
Maximum height of pole	35 ft.
Maximum flags per pole	2
Maximum flag size	60 sq. ft.
Maximum total flag area	180 sq. ft.
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	No
Included in aggregate sign area?	No



3. Other standards

Flagpoles shall be located as shown on an approved site plan; if there is no approved site plan for the property and no site plan is required, flagpoles shall be located within 30 feet of the principal entrance to the main building.

232

G. Freestanding signs

1. Defined

A sign that is affixed to the ground, a wall that is not part of a building, or fence ; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

2. General Standards

Maximum size	60 sq. ft. per side; may be 2-sided
Maximum height	15 ft.
Number allowed	1 except as provided below
Permit required?	Yes
Minimum setback	10 ft. from back of sidewalk
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §34.11
Commercial messages?	Yes
Included in aggregate sign area?	Yes

3. Uses for which allowed

Freestanding signs are allowed for only the following uses:

- (a) Outdoor sales lot or other lot, the use of which involves no main building and consists primarily of the use of land;
- (b) Unified shopping center;
- (c) Vehicle service establishment (replaces a wall sign); and
- (d) Elementary and high schools.

4. Other standards

- (a) For a unified shopping center, one additional freestanding identification sign may be approved if both freestanding signs are incorporated into screening or retaining walls or planter boxes or are mounted on a brick base with a maximum height of three feet and a maximum overall base and sign height of 15 feet, and the total sign area of both freestanding signs does not exceed 60 square feet;
- (b) For vehicle service establishments, a group of fuel pumps may have additional signs not exceeding an aggregate area of 12 square feet for each pump island.
- (c) For elementary and high schools a total of one freestanding sign meeting the general standards in §34.8.C.2 may be approved for each street frontage; and one scoreboard with no commercial messages may be approved for each athletic field, up to a maximum of 150 sq. ft. Notwithstanding the provisions of 34.11, scoreboards allowed by this §34.7.G.4(c) shall be allowed automatic changeable copy elements of up to 25% of the scoreboard.
- (d) For uses listed in §34.7.G.3. above, located on a corner lot or on a lot with frontage on two or more streets, one additional freestanding sign may be approved with the same dimensions as the first sign;
- (e) Where two or more freestanding signs are allowed on a site, the sign placed on the side street shall not be located within 200 feet of property zoned R or RA.
- (f) For a permitted drive-through window accessory to any use, one freestanding or wall mounted menu board or other instructional or informational device related to



the drive-through window shall be permitted, up to a maximum of 12 square feet in size, so long as the only words, numerals, symbol or pictures on such device that are legible from any property other than the property on which the drive-through window is located shall include no commercial message, but shall simply identify the device as a “menu,” “directory,” “instructions,” “information” or something similar. If such a menu board or other device is larger than four square feet or it is electrified, it shall require a permit.

H. Incidental signs

1. Defined

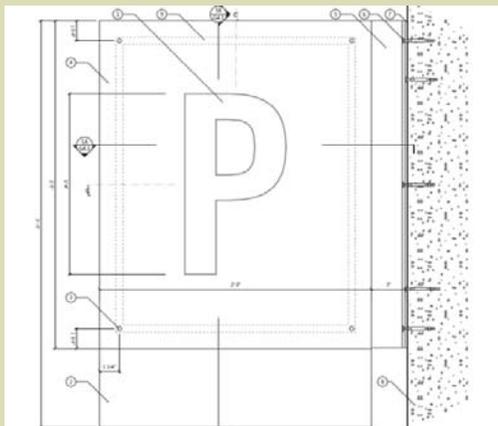
Signs that provide information or directions that are necessary for the physical use of the site, including but not limited to signs that provide warnings, parking rules or way-finding information.

2. General standards

Maximum size (wall)	4 sq. ft.
Maximum size (freestanding)	3 sq. ft. per side, may be 2-sided
Maximum height (freestanding)	4 ft.
Number allowed	As needed
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	Limited; see standards below
Included in aggregate sign area?	No

3. Other standards

- (a) One incidental sign per 1st or 2nd floor occupant may contain a commercial message.
- (b) Freestanding signs may be placed only on the perimeter of a parking lot and may be no less than 25 feet apart.
- (c) Wall or projecting signs of a maximum of 6.5 sq. ft., with no dimension exceeding 4 sq. ft., that meet all other standards in §34.7.H.2 above and all standards prescribed in the diagram below may be installed on public parking facilities. Compliance with these standards shall be determined by the Zoning Administrator, based on factors that include but are not limited to: location; color; size; shape and lettering, as shown in the diagram below.



I. Projecting signs

1. Defined

Any sign that is attached in a plane approximately perpendicular to the surface of a building or other structure.

2. General standards

Maximum size	20 sq. ft.
Maximum projection	42 inches
Minimum vertical clearance	10 ft. above finished grade
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §34.11.B.
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except a maximum of two wall or projecting signs per building may be placed above a height of 40 feet, subject to the standards in 34.7.O.2 and 3.



3. Other permits

A projecting sign may require a separate encroachment agreement or permit from the County, subject to established standards.

4. Relationship to wall signs

A sign that projects 18 inches or less from the wall is considered a wall sign; see §34.7.N.

J. Sidewalk signs

1. Defined

A temporary, self-supporting sign made of durable material and located on the sidewalk in front of a use for which such a sign is allowed.

2. General standards

Maximum size	7 sq. ft. per side (may be two-sided)
Maximum height	3.5 ft.
Number allowed	One per public entrance directly from sidewalk into establishment
Permit required?	No
Separate lighting?	No
Changeable copy?	No
Commercial messages?	Yes, related to establishment for which sign is allowed
Included in aggregate sign area?	No



3. Other standards

- (a) Temporary sidewalk signs shall be permitted only for establishments (but not for home occupations)
- (b) No more than one temporary sidewalk sign is permitted for each public entrance

to an establishment. For purposes of this §34.7.M, a parking garage is an establishment and a public entrance includes a vehicular entrance;

- (c) If an establishment has more than one public entrance and two of the public entrances face the same street and are located within 200 feet or less of each other, then a sign shall be allowed for only one of the public entrances;
- (d) Such signs may be placed on the sidewalk only during hours the establishment is open;
- (e) Temporary sidewalk signs shall be permitted only on sidewalks where there is an existing minimum six-foot clear walkway (an unobstructed areas serving as circulation space for pedestrians). In order to provide adequate clearance for pedestrians and persons with visual and mobility disabilities, such signs shall not be placed within any required clear walkway for the site, and shall be located either entirely within two feet of the building face, or within the landscape and utility zone such that there is at least one foot between the sign and the edge of the curb (on sidewalks where there is no landscaping, sidewalk signs may be placed within four feet of the edge of the curb if such placement maintains the clear walkway required in this subparagraph and maintains at least one foot between the sign and the edge of the curb);
- (f) Temporary sidewalk signs shall not be placed in tree pits that are not covered with hard grates;
- (g) Such signs shall be self-supporting, either with legs or supports that are continuous with the plane of the sign face; or with a solid base no wider than the sign width, protruding no more than 12” from the plane of the sign face, and separated by no more than six inches from the bottom of the sign face; and
- (h) Any sign found by the Zoning Administrator to be unsafe or to present a hazard or to impair a required clear walkway, shall be removed immediately.



K. Temporary signs

For temporary signs allowed in these districts, see window signs (§34.7.P) and temporary signs for construction and sale/leasing (§34.14).

L. Traffic control signs

1. Defined

A sign used for traffic control and conforming with national or state standards for the design and installation of such signs.

2. General standards

Maximum size	As set forth in MUTCD
Maximum height	As set forth in MUTCD
Number allowed	As needed
Permit required?	No
Separate lighting?	As set forth in MUTCD
Automatic changeable copy?	As set forth in MUTCD
Commercial messages?	No
Included in aggregate sign area?	No



3. Other standards

- (a) Traffic control signs are allowed only in areas required by the Zoning Ordinance

- and/or shown on an approved site plan;
- (b) Traffic control signs (including lighting) must conform with the Manual of Uniform Traffic Control Devices; no other sizes are allowed and no separate lighting is allowed except as specified by those standard design sources.

M. Umbrella signs

1. Defined

A sign painted on or affixed to the surface of an umbrella.

2. General standards

Maximum size	Up to 4 sq. ft. on any individual umbrella
Permit required?	No
Automatic changeable copy?	No
Commercial messages?	Yes, related to the dining facility or products served there, or noncommercial messages
Included in aggregate sign area?	No



233
234

N. Wall signs

1. Defined

Any sign that is affixed directly to or suspended from a building wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to and projecting no more than 18 inches from the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

2. General standards

Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes, subject to standards of §34.11.B
Commercial messages?	Yes
Included in aggregate sign area?	Yes
Maximum height to top of sign	40 feet, except a maximum of two wall or projecting signs per building may be placed above a height of 40 feet, subject to the standards in 34.7.O.2 and 3.

3. Dimensional Standards

(a) For a property or building for which there is not an approved comprehensive sign plan, the following dimensional standards apply to wall signs:

Maximum size per sign	60 sq. ft.; see additional limitations below
Maximum sign area per occupant	The larger of 60 sq. ft. or one sq. ft. of sign per foot of building frontage; see also additional signs below
Maximum number	3 per establishment located on 1st or 2nd floor; see also additional signs below
Additional signs	1 additional sign not exceeding 6 sq. ft. to identify secondary entrances to a building
	1 additional side or rear sign not exceeding 30 sq. ft. on the side or rear wall of a commercial building which abuts a public street or a parking lot associated with the commercial building, for buildings located on corner lots or lots abutting streets at both the front and rear, or for buildings served by an abutting parking lot of no less than 60 feet in width located to the side or rear of the main building
Maximum height to top of sign	40 feet, except as provided below

(b) For a building or property for which there is an approved comprehensive sign plan, the only dimensional limitation or limitation on total number of signs per occupant is the maximum aggregate sign area (see §34.17.A.1), as allocated under the approved comprehensive sign plan.

4. Other standards

(a) No signs shall be permitted on that part of the side or rear wall of a building within 100 feet from any "R" or "RA" District except, where a tenant's primary entrance is



located on a side or rear wall of a building, the tenant’s sign that otherwise would be allowed on the front wall of the building may be erected on the wall where the primary entrance is located;

- (b) No sign shall extend above the height of the actual roofline of the building, measured from the actual roofline in the case of a flat roof or from the eaves line in the case of a hip or gable roof; except, on a building that is 24 feet or less in height, up to 20 percent of the sign area may extend up to 1.5 feet above the roofline.
- (c) Up to 50 square feet of wall signs placed inside of a public parking garage, two feet or more from and mounted approximately perpendicular to the façade on which the vehicular entrance to the garage is located shall not be counted as part of aggregate sign area.



O. Additional sign area above a height of 40 ft for specified uses

- 1. Any building that meets the following criteria may install up to a maximum of two additional wall or projecting signs, with a permit, subject to the standards listed below. Such signs shall not be counted as part of allocated aggregate sign area.
 - (a) The building is not located in an S-3A, S-D, R, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-1-O, C-0-1.0 or C-1-R zoning district
 - (b) The building is more than 70 feet in height; and
 - (c) The building is devoted primarily to office, commercial, public or at least 50% to hotel uses above the ground floor.
 - (d) The maximum area of each additional sign is limited as follows:



Height of building	Maximum sign area (sq. ft)
70 ft. – 100 ft.	0.6 x bldg. width at height of sign
101 ft. – 200 ft.	1.0 x bldg. width at height of sign
>201 ft.	1.5 x bldg. width at height of sign

- 2. **Placement of all signs above a height of 40 feet**
 - (a) No lighted sign in an S-3A, S-D, R, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-1-O, C-0-1.0 or C-1-R zoning district may be placed above a height of 40 feet.
 - (b) Horizontally oriented signs shall fit within a sign band that is no more than six feet in height, provided, however, that up to 20% of the sign may be no more than nine feet in height. The designated sign band shall be placed within the 20 feet of the building façade below the main roofline or other roofline of the building below the main roofline for a building where there are multiple rooflines;
 - (c) No sign placed above a height of 40 feet shall have any automatic changeable copy element; and
 - (d) All signs placed above a height of 40 feet may be illuminated only by internal lighting and hours of illumination shall be as set forth in §34.10.A.3



Editor’s Note: Options A and B below are regulatory alternatives for consideration for signs facing residential districts. These options would regulate the direction signs face and hours of illumination, for signs placed above a height of 40 feet. Option A would use a map to define the direction signs may face (see map 34-1, posted separately), and

would be used in conjunction with defined hours of illumination, similar to what is provided in Option B. Option B is an alternative that would use zoning district and distance to define directions signs may face, combined with hours of illumination. These options are subject to change based on continuing community input and staff review.

- (e) **[OPTION A]: map to define direction combined with hours of illumination**
Lighted signs placed above a height of 40 feet may be placed on building facades perpendicular to or facing away from the line identified as Line A on Map 34-1, but shall not be placed on facades facing Line A (a façade shall be considered to be facing Line A if it is less than 90 degrees from parallel). Provided, however, that lighted signs may be placed on building facades immediately adjacent to streets parallel to Line A, including but not limited to, Wilson Blvd., Clarendon Blvd., Fairfax Dr., S. Randolph St., S. Quincy St. and Campbell Ave, if the building façade is not within 200 feet of an R or RA14-26, RA8-18, RA7-16 or RA6-15 district, and the applicant demonstrates that view of the sign is substantially blocked from the aforementioned zoning districts by a building or other structure of equal or greater height to the height of the sign.

3. Hours of Illumination

- (a) No sign placed at a height of more than 40 feet shall be lighted between midnight and 8 am; and
- (b) **[OPTION B]: zoning district and distance to define direction combined with hours of illumination** Signs placed at a height of more than 40 feet in the following locations may only be lighted as follows.
- (1) Signs that are directly facing and within 200 feet of an R or RA14-26, RA8-18, RA7-16 or RA6-15 district shall not be lighted.
 - (2) Signs that are directly facing and within 200 feet of a multifamily residential building in any zoning district shall not be lighted between 10 pm and 8 am. Hours of illumination may not be modified by the County Board.

Editor's Note: Options C through F, below, are regulatory alternatives for consideration for signs facing the monumental core, George Washington parkway and Arlington Cemetery. They are not meant to be used together. (See map 34-1 attached to the end of this section)

- (c) **[OPTION C: no additional restrictions]**
Under no circumstances shall a sign placed above a height of 40 feet and directly facing the monumental core, George Washington Parkway or Arlington Cemetery, as identified by Line B on Map 34-1, be lighted between midnight and 8 am.
- (d) **[OPTION D: reduced hours of illumination]**
Under no circumstances shall a sign placed above a height of 40 feet and directly facing the monumental core, George Washington Parkway or Arlington Cemetery, as identified by Line B on Map 34-1, be lighted between 10 pm and 8 am.
- (e) **[OPTION E: no lighted signs]**
Under no circumstances shall a sign placed above a height of 40 feet and directly facing the monumental core, George Washington Parkway or Arlington Cemetery, as identified by Line B on Map 34-1, be lighted.
- (f) **[OPTION F: no signs above 40 feet]**
Under no circumstances shall a sign be placed above a height of 40 feet and directly facing the monumental core, George Washington Parkway or Arlington Cemetery, as identified by Line B on Map 34-1.



P. Additional sign area for specific uses

1. In addition to other signs on a development project, the County Manager may place, or cause to be placed wall signs at the garage entry to a public parking facility. Such signs shall:
 - (a) Be limited to noncommercial messages that show parking availability within the public parking facility and shall be no larger than 60 sq. ft;
 - (b) Be allowed in addition to otherwise allowed aggregate sign area;
 - (c) Notwithstanding the provisions of §34.11.B, be allowed to include up to 12 sq. ft. of automatic changeable copy elements for each sign,
 - (d) Be of such design as the County Manager may determine.

Q. Window signs

1. **Defined**
 Any permanent or temporary sign, including any decal, that is legible from the outside, including plazas, public streets, and parking lots, and that is placed on the outside or inside face of a window or mounted within two feet of the inside face of the window.

2. General standards

Maximum total area per sign	80 sq. ft. or 20 percent of window area, whichever is less
Number allowed	Unlimited
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	Yes; see standards below for window signs in residential dwelling units
Included in aggregate sign area?	No

3. Other standards

- (a) Any establishment located on the first or second floor of a building shall be allowed window signs.
- (b) An unlimited number of temporary window signs with noncommercial messages only, up to 6.5 sq. ft. per sign, is permitted in the windows only of residential dwelling units.



235 **§34.8. Signs for institutional uses**

236 **A. General**

237 Any institutional use in any district may have the following signs:

238 **1. Choice of standards**

239 An institutional use may choose to have its signs regulated under the sign regulations
 240 applicable to other uses in the same zoning district as the institutional use. An
 241 institutional use that intends to exercise that option must declare its intent on its

242 comprehensive sign plan (if any) or by separate letter submitted on its first application
243 for a sign permit. No institutional use may “mix and match” signs allowed for
244 institutional uses and signs allowed for other uses in the same zoning district.

245 **2. Miscellaneous signs**

246 Regardless of which election an institutional use makes pursuant to §34.8.A.1, the
247 institutional use is allowed the following additional signs subject to all standards allowed
248 for such signs in the same zoning district:

- 249 (a) Flags;
- 250 (b) Incidental signs; and
- 251 (c) Traffic control signs.

B. Banners

1. Defined

A sign applied to cloth or fabric or other flexible, durable material. Flags as defined herein shall not be considered banners.

2. General standards

Maximum number	1 per main building; or in the case of public parks without a main building, 1 per main entrance
Maximum size	40 sq. ft.
Permit required?	Yes
Separate lighting?	No
Commercial messages?	No
Automatic changeable copy?	No



3. Other standards

- (a) Banners shall be firmly affixed at all four corners to prevent movement.
- (b) Banners allowed under this §34.8.B shall be temporary and shall be permitted up to fourteen days before and two days after an event, or a maximum of sixteen days.

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C. Freestanding signs

1. Defined

A sign that is affixed to the ground or a wall or fence (to the extent allowed by this Section 34) and not to a building; freestanding signs include but are not necessarily limited to signs mounted on monument-style foundations, on poles, or on fences or other approved accessory structures.

2. General standards

Maximum total sign area	30 sq. ft., except as provided in 3(d) below
Maximum height	5 ft.
Number allowed	2
Minimum setback	5 feet from back of sidewalk
Permit required?	Yes
Separate lighting?	Yes
Automatic changeable copy?	Yes
Commercial messages?	No

3. Other standards

- (a) Freestanding signs shall not be located any closer than ten feet from the edge of the street or thoroughfare to which said sign is directed, nor within the clear vision area defined by Section 32.D.4.
- (b) Freestanding signs shall be allowed only for institutional uses in stand-alone buildings, not for institutional uses in mixed-use buildings.
- (c) Freestanding signs for any institutional use may alternatively be installed as wall, canopy or awning signs with the same total sign area and dimensions.
- (d) Additional signs for schools and public parks
 - (1) In public parks, one freestanding sign for each entrance (or alternatively a wall, canopy or awning sign of the same size) may be approved, of up to a maximum of 60 sq. ft. for each sign, and meeting all other standards in §34.8.C.2.
 - (2) Additional signs not legible from any public street right-of-way are permitted without permits for schools and public parks. All such signs shall contain only noncommercial messages except as permitted in public parks by §34.9.
 - (3) In schools and public parks, one scoreboard with no commercial messages, except as commercial messages are permitted in public parks by 34.9, for each athletic field, up to a maximum of 150 sq. ft. Notwithstanding the provisions of 34.11, scoreboards allowed by this §34.8.C.3(d)(3) shall be allowed automatic changeable copy elements of up to 25% of the scoreboard.



D. Temporary Signs

1. Defined

Any sign that may easily be moved or removed and that can feasibly be displayed for a limited period of time in any one location.

2. General standards

Maximum size	7 sq. ft.
Maximum height	4 ft.
Number allowed	No limit
Permit required?	No
Separate lighting?	No
Automatic changeable copy?	No
Commercial messages?	No

3. Other standards

- (a) Temporary signs allowed by this section shall be removed within 45 days of installation or within seven days of the end of any event to which they refer, whichever may first occur.
- (b) Temporary signs allowed by this section shall be firmly affixed to the ground or to a structure to prevent movement.

E. Wall Signs

1. Defined

Any sign that is affixed directly to or suspended from a building wall, marquee, mansard wall, or parapet wall of a building, with the exposed face of the sign in a plane approximately parallel to the face of the wall. A wall sign may be either of one-piece construction or of individual connected or related letters or symbols.

2. General standards

Maximum size	4 sq. ft.
Number allowed	1 per public entrance
Permit required?	No
Separate lighting?	Yes
Automatic changeable copy?	No
Commercial messages?	No



§34.9. Signs in public right-of-way or on other public property

Only the signs specified in this section are allowed in the public right-of-way and no other private signs are allowed there. To the extent that the Virginia Department of Transportation controls placement of signs or other objects in a right-of-way, the applicable regulations of that agency shall supersede this section.

A. Signs allowed

The following signs shall be allowed in the public right-of-way in Arlington County or on parks or other public property controlled by Arlington County, without a permit, unless otherwise specified:

1. Signs installed by employees or officials of Arlington County, or a state or federal agency in the course of their governmental duties and bearing no commercial message, including without limitation, signs conforming to the Manual of Uniform Traffic Control Devices or Arlington Way Finding Standards;
2. Signs required by a state or federal statute or County ordinance;
3. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than a message that is necessary to identify the use;
4. Signs installed by a transit company with a franchise or other right to operate in Arlington County, where such signs are installed along its routes and relate to current or general schedules or other information about the transit route;
5. Signs attached to privately owned appurtenances or fixtures in the public right-of-way where such appurtenances or fixtures and the signs for them are allowed by the terms of a permit, encroachment or agreement issued or approved by the County; Such signs shall include no commercial messages other than a message necessary to identify the use.
6. Temporary signs or banners approved by the County as part of and incident to a special event permit and placed across the right-of-way in locations established by the County; such signs shall be limited to messages related to the special event and its sponsors and shall be removed within five business days after the end of such event;
7. Signs in parks that relate to the use of the park, provided that such signs shall not be legible from any public right-of-way outside the park and such signs shall bear no commercial message except one that relates to a lawful commercial activity permitted within the park;
8. Signs for concessionaires and for sponsors of events for which a permit has been issued by the County and which are inside stadiums or arenas or at or adjacent to ball fields or other such facilities. Signs within an outdoor facility, if such facility is located 400 feet or more from the nearest right-of-way, shall be deemed not to be legible from such right-of-way even if they may be visible from some locations outside the facility;
9. Sidewalk signs subject to the standards and conditions in §34.7.J; and
10. Signs giving the place name of a neighborhood established as a distinctive area by custom and usage recognized throughout the county and/or direction to the location



296 of public facilities in the neighborhood may be
297 displayed in such neighborhood or community or at
298 not more than four entrances thereto:



- 299 (a) No such sign shall exceed an overall height of
300 eight feet nor have an area exceeding 20 square
301 feet;
- 302 (b) The overall area of the sign structure shall not
303 exceed 100 square feet;
- 304 (c) The signs shall be made from durable materials and be of a design that harmonizes
305 with the surrounding structures and natural features and give notice without
306 creating harm to traffic safety by either its placement, bulk, or visual
307 characteristics; and
- 308 (d) Such signs shall be installed by the County; where such signs are to be placed on
309 private property, it is the responsibility of the association or persons requesting
310 such signs to provide to the County authorization in a form acceptable to the
311 County.
- 312 (e) Subject to approval by the County Manager or his or her designee, not-for-profit
313 civic associations may attach to a sign permitted under this subsection 34.9.A.10,
314 one temporary sign of up to 6” in height and 30” in width, with noncommercial
315 messages only. The County Manager may approve such temporary signs on a first-
316 come, first-served basis for a period of up to five days before and two days after an
317 event sponsored by the civic association for the neighborhood identified by the
318 sign. The temporary sign shall be of durable materials and shall be attached to the
319 top of the sign or hung from the bottom of the sign.

320 **B. Banner systems allowed**

321 The County Board may authorize the County Manager to place, and upon such authorization,
322 the County Manager may place or cause to be placed, banners or
323 banner systems in the public right-of-way in areas where sector,
324 area or revitalization plans have been adopted by the County
325 Board. Such banners or banner systems shall be authorized only
326 after findings by the County Board that the proposed banners
327 would not adversely affect traffic safety to a significant degree
328 and that the proposed banners would not result in clutter that
329 would adversely affect the appearance or character of the
330 surrounding neighborhood. The County Board ordinance will
331 determine specific designs, size, locations and physical
332 characteristics of the banners for a designated area; standards
333 relating to maintenance, removal and replacement; and the
334 length of time for which the banners may be displayed. The
335 messages on these banners shall be government speech,
336 determined by the County Board or, if authorized by the Board, by the County Manager.



337 **C. Temporary signs placed by private parties**

338 Temporary signs installed in the public right-of-way by private parties shall be allowed only as
339 follows.

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1. Lighting and structure

Such signs shall be temporary freestanding signs, shall not be lighted and shall be affixed to the ground such that they will not easily be removed by wind or other natural forces.

2. Location

Such signs may be placed only on that portion of the public right-of-way adjacent to a street, road, highway or sidewalk but not on utility poles or trees, landscaped beautification areas, traffic circles or control devices or signs, or any paved portion of a pedestrian refuge area, nor shall such signs be placed on or adjacent to any other public lands such as school sites, recreation fields, parks, and parkways.

3. Identification

Each such sign shall bear clear identification and contact phone number of the establishment, person or other entity placing the sign or causing it to be placed; any sign that lacks such identification shall be considered a violation of this provision, regardless of whether it conforms with the other requirements of this provision. The person or other entity named on the sign shall be responsible for placement of such sign in accordance with this Section 34.

4. Directional commercial temporary signs

- (a) The only commercial messages permitted on such signs are those with directions to the location of a commercial activity lawfully conducted within an R-district or RA14-26, RA8-18, RA7-16, or RA6-15 district and within one-half mile of the site of the sign, as set forth below.
- (b) Such signs shall be allowed provided no signs are placed pursuant to §34.9.C.5(a) or (b) below.

Maximum number	To limit clutter, no more than one sign may be placed for any commercial activity, candidate, political issue or ticket or other entity at any street intersection
Maximum size	1.5 sq. ft.
Maximum height	3 ft.
Timing	From sundown on Friday to sundown on Sundays and from sundown the night before a legal holiday to sundown on that holiday
Location	Within ½ mile of the activity, in the landscape and utility strip or median at an intersection, subject to the limitations in §34.9.C.2

5. Noncommercial temporary signs

Temporary signs with noncommercial messages may be displayed as set forth in either §34.9.C.5(a) or (b) below, but not both. All such signs shall include the date of placement and the name and phone number of the person or group responsible for posting the sign.

(a) Political signs

Such signs shall be allowed provided no signs are placed pursuant to §34.9.C.4 above or §34.9.C.5(b) below.

Maximum number	To limit clutter, no more than 2 signs shall be placed for any candidate, political issue or ticket or other entity in any median strip.
Maximum size	4.5 sq. ft.
Maximum height	4 ft.
Timing	Up to 31 consecutive days before an election called by a duly constituted governmental body, including all primaries, which signs shall be removed within five days after the election to which they pertain
Location	In the median, subject to the limitations in §34.9.C.2.

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(b) Seven-day signs

Such signs shall be allowed provided no signs are placed pursuant to §34.9.C.4 or §34.9.C.5(a), above.

Maximum number	To limit clutter, no more than one sign shall be placed at any street intersection for any event, person, group, candidate, political issue or ticket or other entity
Maximum size	4.5 sq. ft.
Maximum height	3 ft.
Timing	For up to a maximum of 7 days
Location	In the landscape and utility strip or median at an intersection, subject to the limitations in §34.9.C.2

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§34.10. Standards for lighted signs

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A. Illumination

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1. General

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Unless otherwise expressly prohibited, signs may be lighted from within the letter or message area or by a light projected on the sign that is shielded in such a manner so as to light only the face of the sign or, in the case of a flag, the area in which the flag waves or drapes. Except on automatic changeable copy signs allowed in accordance with §34.11, and neon, light sources for signs shall not be visible from street level.

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2. Maximum allowable luminance

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(a) All signs except visible light source types (neon and automatic changeable copy)

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The maximum luminance for any type of sign, except visible light source types (neon and automatic changeable copy signs), shall not exceed the limits set forth below. The entire sign and any part thereof must comply with the maximum limit.

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Zoning district	Maximum allowable luminance (cd/m ²)
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	50
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts	200
All other zoning districts	350

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(b) Neon signs

The maximum luminance of a neon sign shall not exceed the limits set forth below.

Zoning district	Maximum allowable luminance (cd/m ²)
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	Not permitted
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts	1000
All other zoning districts	2000

(c) Automatic changeable copy signs

The maximum luminance of automatic changeable copy signs shall not exceed the limits set forth below.

Zoning district	Maximum allowable luminance (cd/m ²)	
	During daylight hours	During nighttime hours
R, RA14-26, RA8-18, RA7-16, RA6-15 and S-3A districts	2000	50
C-1-R, C-1, C-1-O, C-O-1.0 and C-2 districts		200
All other zoning districts		350

3. Indirect lighted signs

Indirect lighting for signs shall be fully shielded to direct all light toward the sign surface, shielding it from the sky and from surrounding uses or buildings.

4. Level control

Lighting for a sign that is installed or modified after [date of adoption] shall include an easily accessible dimming controller to allow immediate corrections where violations of the levels established by this Section §34.10 are exceeded.

5. Near residential districts

No sign located within 200 feet of an R or RA district shall contain any automatic changeable copy elements.

§34.11. Flashing, moving and changeable copy signs

A. General rule

Signs that move, flash or simulate movement are prohibited except automatic changeable copy signs as allowed under this §34.11.

B. Size and time limits

The following limitations shall apply to the aggregate area of the automatic changeable copy portion of the sign; the overall area of the sign is regulated by other provisions of this Section 34.

1. The message or image on the sign shall change no more than one time per minute, except where changes in a sign occur automatically to reflect changes in temperature, availability of parking spaces, or arrival of transit vehicles;

- 416 (a) An automatic changeable copy sign on which the message changes or is designed
417 to change more than once every 24 hours may not exceed 4 square feet in size;
- 418 (b) An automatic changeable copy sign on which the message changes or is designed
419 to change no more than once every 24 hours (as averaged over a 10-day period)
420 shall not exceed 12 square feet in size.

421 C. Rules for changeable copy signs allowed under this section

422 Automatic changeable copy signs shall be allowed only for sign types and in districts where
423 automatic changeable copy signs are allowed by general standards. Automatic changeable
424 copy signs shall be subject to the following additional restrictions:

- 425 1. There shall be no effects of movement, flashing, or similar effects in the individual
426 images.
- 427 2. Changes of image shall be substantially instantaneous as seen by the human eye and
428 shall not use fading, rolling, window shading, dissolving or similar effects as part of the
429 change; provided, however, that signs reflecting the arrival of transit vehicles that have
430 letters no more than 2" tall may scroll.
- 431 3. Light emitting diodes and similar lighting are permitted for automatic changeable copy
432 signs.
- 433 4. Automatic changeable copy signs shall use automatic level controls to reduce light
434 levels at night and under cloudy or other darkened conditions, in accordance with the
435 following standards.
- 436 (a) All automatic changeable copy signs shall have ambient light monitors that allow
437 automatic adjustment of the brightness level of the sign based on ambient light
438 conditions.
- 439 (b) Maximum luminance for automatic changeable copy signs shall not exceed the
440 limits in §34.10.A.2(c)

441 D. Malfunction or failure

442 Any automatic changeable copy sign that malfunctions, fails, or ceases to operate in its usual
443 or normal programmed manner, thereby causing motion, movement, flashing or any other
444 similar effects, shall be repaired or disconnected within 24 hours by the owner or operator of
445 such sign.

446 §34.12. Sign permits

- 447 A. A sign permit shall be obtained from the Zoning Administrator before any sign requiring a
448 permit is erected, placed or installed (see §34.5, §34.6, §34.7, §34.8 and §34.14 to determine
449 which signs require permits).
- 450 1. An application for a sign permit shall be signed by the applicant or an officer or
451 member thereof, and shall include evidence of consent to the application by the owner
452 of the building or property on which the sign is proposed for installation; and
- 453 2. If the project is the subject of a comprehensive sign plan, the owner of the project or
454 property manager responsible for the project.
- 455 B. Every application for a sign permit shall be accompanied by plans showing the area of the sign,
456 the size, and design proposed; the method of lighting, if any; and the exact location proposed

- 457 for the sign. If the sign will be placed on premises for which there is an approved
458 comprehensive sign plan, the application shall refer to the Plan and identify how the proposed
459 sign conforms with the Plan.
- 460 C. An application for a sign permit for a sign placed above a height of 40 feet that will be lighted
461 shall include a certification by an engineer or other qualified professional licensed or practicing
462 in Virginia that the installed sign will conform with the luminance standards and other
463 limitations on illumination set forth in §34.10. If a dimmed setting is used to meet the
464 compliance limit, the dimmed setting meeting the compliance limit shall be measured,
465 recorded and reported to the County prior to installation. The setting at the dimming controller
466 itself may be reconfirmed after installation.
- 467 D. An application for a sign permit for a sign that will have automatic changeable copy elements
468 shall include a certification by an engineer or other qualified professional licensed or practicing
469 in Virginia that the installed sign will conform with the luminance standards and other
470 limitations on illumination and operation set forth in §34.10 and §34.11.
- 471 E. An incomplete application for a sign permit shall be returned to the applicant within one
472 business day of its filing with notations or a checklist identifying what items are missing from
473 the application. If the certifications required by paragraphs C and D, above, are not provided
474 by a Professional Engineer licensed in Virginia, the Zoning Administrator may find that the
475 application is incomplete and require that it be resubmitted with the required certifications by
476 a Professional Engineer.
- 477 F. A complete application for a permanent sign shall be approved or rejected within five work
478 days. Upon request, a statement of the reasons for denial of a sign permit shall be provided
479 within 30 days after rejection.
- 480 G. A complete application for a temporary sign that requires a permit shall be approved or
481 rejected within one business day of the receipt of a sign permit application. If the permit is
482 denied, the reason for the denial will be given orally, with a written reason provided within five
483 days, if requested.

484 §34.13. Comprehensive sign plans approved after [date of adoption]

485 A comprehensive sign plan shall include all signs for a development project. Once approved, a
486 comprehensive sign plan becomes the governing document for signs on a development project,
487 and permits will be issued only for signs shown on the comprehensive sign plan.

488 A. Applicability

- 489 1. A comprehensive sign plan is optional and may be approved for premises subject to
490 §34.6 or §34.7;
- 491 2. A comprehensive sign plan approved by the County Board prior to [date of adoption]
492 shall remain in effect unless replaced by a new comprehensive sign plan filed by the
493 owners and approved in accordance with the provisions of this §34.13, or unless an
494 election is made under §34.16.D.2 to have signs permitted without a comprehensive
495 sign plan; and
- 496 3. The requirements of an approved comprehensive sign plan shall apply to all property,
497 buildings, uses and establishments within the development project.

498 **B. Required plan elements**

499 The comprehensive sign plan shall provide the following information related to all proposed
500 signs that require a permit and that are included in aggregate sign area:

501 **1. Location**

502 Identification of sign locations on buildings or property, including showing:

- 503 (a) Setbacks from property or right-of-way lines;
- 504 (b) Depth of projection;
- 505 (c) Height above grade; and
- 506 (d) For projecting signs, clearance below.

507 **2. Materials and illumination**

508 Description of the type of sign and sign materials, including:

- 509 (a) Construction materials;
- 510 (b) Proposed lighting, if any;
- 511 (c) Mechanism for attachment to the building; and
- 512 (d) Method of electrical provision, if any.

513 **3. Size**

- 514 (a) Itemization of sign size and/or size of any defined sign band area at identified
515 locations;
- 516 (b) total sign area per frontage, per sign type and overall for the project;

517 **4. Allocation of sign area**

- 518 (a) Aggregate sign area for all signs in a comprehensive sign plan shall be the larger of:
 - 519 (1) One square foot of sign per linear foot of building frontage; or
 - 520 (2) For a building with one or more establishments with at least one exterior
521 public entrance and less than 60 feet of frontage, 60 square feet for each such
522 establishment plus one square foot per linear foot of building frontage
523 excluding any frontage occupied by those establishments.
- 524 (b) Subject to size, location, and setback standards specified in §34.6 or §34.7 for the
525 applicable zoning district , the applicant for a comprehensive sign plan may allocate
526 permitted aggregate sign area among the walls of various buildings and, to the
527 extent allowed by §34.6 or §34.7, among freestanding signs, to favor one tenant or
528 series of tenants, provided the comprehensive sign plan identifies available sign
529 area and sign type for each tenant.

530 **C. Additional signs**

- 531 1. Premises subject to §34.7 with an approved comprehensive sign plan shall be allowed
532 the following additional signs provided that the locations and designs of the signs are
533 shown the comprehensive sign plan:

- 534 (a) Banners as permitted in §34.7.D;
- 535 (b) Directory signs as permitted in §34.7.E.

§34.14. Temporary signs for construction and sale/leasing

The following additional signs are allowed with permits to advertise construction or the availability of property or space other than at one-family and two-family dwellings:

A. Additional Purposes

To address the particular needs related to new construction, redevelopment and remodeling of buildings within the County, the following purposes, supplementing those set forth in §34.1 support the adoption of special provisions for signs for construction projects, new buildings and empty spaces in existing projects:

1. The County must provide services even to partially occupied buildings;
2. Promoting occupancy of new buildings in the County encourages economic development by enlarging the tax base;
3. Abandoned construction projects and partially finished buildings create blight in an otherwise vital County;
4. Many potential occupants for a new or remodeled project are likely to pass by the site during the period of construction; and
5. On-site advertising is a particularly effective, as well as affordable, means of advertising and helping to ensure occupancy of these projects and promoting future business, thus encouraging economic development within the County.

B. Messages

Signs allowed under this §34.14 may bear any commercial message related to the project under construction, sale, lease or rental of any part of the project, and/or its future occupants and/or any noncommercial message.

C. New building generally

1. Any new building or any building that has been substantially vacant during a remodeling process may have, in addition to other signs permitted by this Section 34, either:
 - (a) Signs on construction fencing as set forth in §34.14.F); or
 - (b) A total of 120 square feet of banners as set forth in §34.14.D, or freestanding signs that do not exceed 15 feet in height as set forth in §34.14.E.
2. Such signs shall be removed by the last of the following to occur: one year after the issuance of the shell and core permit; or the sale or lease of the building or property or, for a multi-occupant property, the sale or lease of 80 percent of the gross leasable area of the building.

D. Banners on new or remodeled building

1. The banner shall be no larger than the 120 square feet per main building on a lot;
2. Any banner shall be firmly affixed at all corners to prevent its movement with air currents; and



- 574 (a) After issuance of a certificate of occupancy and before installation of an allowed
575 permanent freestanding or wall sign; such a banner shall be removed upon the
576 installation of the permanent sign or the expiration of six months from the date of
577 installation of the banner, whichever first occurs.
- 578 (b) For a “grand opening” of a new establishment or an establishment with a
579 substantial change in ownership or control; such a banner may be displayed for a
580 period of not more than 30 days.
- 581 3. If the banner is within 200 feet and facing an R zoning district, the highest part of the
582 banner shall not be more than 40 feet above the finished grade as shown on the
583 approved site plan.

584 **E. Freestanding signs for new or remodeled**
585 **building**

- 586 1. The freestanding sign shall be no larger than 120
587 square feet per main building on a lot;
- 588 2. The freestanding sign shall be no more than 15 feet
589 in height.



590 **F. Construction fencing**

591 For new construction, remodeling or other modifications
592 during which there is no occupancy of the building and for
593 which fencing of the construction site is provided,
594 screening attached to the fence may bear images of the
595 proposed project along with commercial messages related
596 to the sale, rental leasing or construction of the project,
597 provided that text and numbers shall occupy no more than
598 the larger of the following area:



- 599 1. 120 square feet on each street frontage; or
- 600 2. 20 percent of the area of the screening on the construction fence along each street
601 frontage.

602 **G. Other buildings**

- 603 1. For any spaces for which window signs are allowed,
604 window signs conforming with §34.7.P may be used to
605 advertise the availability of the space for sale, rent or
606 lease; If the owner or occupant of a vacant space
607 chooses to cover the entire ground-floor window(s) of
608 such space, the size limit shall apply only to the portion
609 of the covering that contains the message, using the
610 same method of measurement used to measure signs
611 under §34.17.A.2(a).
- 612 2. Any permanent sign allowed by §34.6 or §34.7,
613 identified as included in aggregate sign area, and
614 placed below a height of 40 feet, may bear commercial
615 messages related to the availability of space in a
616 building or project, or be wholly or partly covered with



617 a banner advertising the availability of space, provided that the size of the banner shall
618 not exceed the size of the permitted sign and provided that the banner shall be firmly
619 affixed at all corners to prevent it moving with air currents.

620 §34.15. General provisions

621 A. Substitution of message

622 Any sign allowed under this Section 34 or a predecessor ordinance, by special exception, or
623 by variance, may contain, in lieu of any other message or copy, any lawful noncommercial
624 message that does not direct attention to a business operated for profit, or to a product,
625 commodity, or service for sale or lease, or to any other commercial interest or activity, so
626 long as said sign complies with the size, height, area, and other requirements of this
627 ordinance.

628 B. Sign maintenance, replacement and repair

629 No sign shall be enlarged, extended, reconstructed, or structurally altered in a way that
630 extends the useful life of the sign unless it is made to comply with all applicable requirements
631 of this Section 34. This is not intended to prohibit routine maintenance, including repainting
632 or re-facing, of a sign.

633 C. Abandonment

634 If signs are discontinued for more than two years and then not continued in the existing
635 structural condition, they shall be made to comply with all applicable requirements of this
636 section.

637 §34.16. Nonconforming signs

638 A. Applicability

639 Nonconforming signs are signs that met all ordinance requirements at the time of installation
640 or placement but which, due to ordinance changes, do not comply with current
641 requirements.

642 B. Signs in historic districts

643 Notwithstanding the “applicability” provisions of §34.2, this Section 34 shall have no effect
644 on any sign (permitted at the time of placement) within an historic district designated by the
645 County Board. Such signs shall be considered conforming signs and may be modified or
646 replaced in accordance with the terms of this section applicable to conforming signs and in
647 accordance with the terms of Section 31A of the Zoning Ordinance.

648 C. Changes to nonconforming signs

649 1. No nonconforming sign shall be altered except in accordance with the following
650 standards and conditions:

651 (a) No nonconforming sign shall be modified in any manner that would increase the
652 degree of its nonconformity, increase its size, or prolong its useful life. Replacing
653 any part of the support structure of the sign shall be considered as prolonging its
654 useful life; and

- 655 (b) No nonconforming sign which has been removed or has become dilapidated or
656 damaged to the extent that repair of the sign requires replacement of any part of
657 its support structure shall be replaced, except that this sentence shall not prevent
658 the issuance of a permit for a conforming sign to replace the former
659 nonconforming sign at the same location as the former nonconforming sign; and
- 660 (c) Any nonconformity that relates to the luminance level of a sign shall be corrected
661 and brought into conformity by January 1, 2023.
- 662 2. No permit for an additional sign shall be issued for any premises on which there are
663 nonconforming signs.
- 664 3. The Zoning Administrator may approve the replacement of a nonconforming sign with
665 a sign that does not fully conform with the terms of this ordinance if the Administrator
666 finds that:
- 667 (a) The replacement sign would achieve a substantial reduction in the degree of
668 nonconformity of the sign;
- 669 (b) The replacement sign would fully conform with all provisions of this Section 34
670 related to lighting, motion and changeable copy;
- 671 (c) If located within 250 feet of an R or RA district, the replacement sign would fully
672 conform with the height limitations of this Section 34;
- 673 (d) The replacement sign would fully conform with the Vision Clearance Triangle
674 requirements of Section 32.D.4.; and
- 675 (e) Either:
- 676 (1) There are no other nonconforming signs on the same lot or building; or
- 677 (2) Any other nonconforming signs on the same lot or building will be brought
678 into full conformance with this Section 34 as a condition of approval of the
679 replacement sign.
- 680 D. Where a comprehensive sign plan was approved prior to [date of adoption], the approval for signs
681 allowed by such comprehensive sign plan shall continue in effect, and such signs shall be treated as
682 conforming to this ordinance, subject to the following:
- 683 1. All signs placed on the property subject to the comprehensive sign plan shall conform
684 in all respects to the approved comprehensive sign plan and any conditions of such
685 approval, except as to luminance level, which shall be subject to §34.16.C.1(c).
- 686 2. A property owner or person in charge may elect to place only signs permitted under
687 this Section 34 instead of signs allowed by the approved comprehensive sign plan, or
688 instead of seeking approval of a comprehensive sign plan as required by a site plan
689 condition, provided that:
- 690 (a) An application is submitted to the Zoning Administrator for an administrative
691 change;
- 692 (b) The Zoning Administrator finds that all signs on the property comply with this
693 Section 34; and
- 694 (c) The applicant provides evidence of consent to the administrative change from all
695 owners of property that is subject to the comprehensive sign plan.

- 696 3. The Zoning Administrator may approve amendments to approved comprehensive sign
697 plans that permit substitution of one or more comprehensive sign plan approved signs
698 with signs of no greater size or number, that fully comply with this Section 34.

699 §34.17. Definitions and interpretation

700 A. Measurements

701 1. Aggregate sign area

702 The aggregate sign area is the total area of all signs of a sign type, for which “yes” is
703 included in the “included in aggregate sign area” line in §34.6 or §34.7, whichever is
704 applicable for the property on which the sign is located.

705 2. Sign area, individual signs

706 (a) General

707 Sign area shall be the area of the rectangle if the sign is rectangular; or if the sign is
708 not rectangular, the smallest convex polygon that contains the entire sign,
709 excluding those architectural embellishments and supports on which no advertising
710 material or lighting is displayed.

711 (b) Three-dimensional

712 The sign area of a three-dimensional or irregularly-shaped sign shall be the area of
713 the convex polygon that will contain the entire sign when viewed in any dimension.
714 If the size of such a polygon varies depending on the perspective of the sign
715 viewed, the largest such polygon shall be used as the sign area. If the sign projects
716 more than two feet from the wall, the sign area shall be two times the area
717 measured by such polygon, to reflect the fact that the sign has a visual effect
718 similar to a two-faced sign.

719 (c) Outline lighting

720 Any exposed tubing or lighting used to outline a sign shall be included in
721 computation of sign area.

722 (d) Signs painted on wall

723 Where a sign is painted on a wall or other surface, the sign area shall include the
724 entire area of the background color(s) of the sign that differentiate it from the
725 general color of the wall or other surface.

726 (e) Signs on awnings

727 Where a sign appears on an awning, notwithstanding the size or color of the
728 awning itself, the sign area shall be measured as set forth in §34.17.A.2(a).

729 (f) Projecting or double-faced signs

730 For projecting or double-faced signs, the sign area shall be the area of one display
731 face where the interior angle formed by the faces is 90 degrees or less. Otherwise
732 the sign area shall include the area of all sign faces.

733 (g) Window signs

734 The size of a window shall be the area of glass surrounded by structural portions of
735 the building. For window signs, the sign area shall be calculated as set forth in

736 §34.17.A.2(a) as a percentage of the area of the window, where dividers (mullions)
737 of more than 5 inches shall not be counted as window area.

738 **3. Height**

739 The height of a freestanding sign shall be the difference in height between the elevation
740 of the finished grade level beneath the sign and the elevation of the uppermost
741 extremity of the sign or sign structure, whichever is higher.

742 **B. Definitions**

743 **1. Aggregate sign area**

744 The total area of all signs of a sign type, for which “yes” is included in the “included in
745 aggregate sign area,” line in §34.6 or §34.7, whichever is applicable for the property on
746 which the sign is located.

747 **2. Arcade sign**

748 A sign that is suspended underneath an awning, canopy, marquee, overhang, or other
749 structural element of a building which forms a covered passageway for pedestrians. See
750 §34.7.B.

751 **3. Awning or canopy**

752 An awning or canopy shall include any structure made of fabric or other durable
753 material, metal or a frame attached to a building, and projecting therefrom, and
754 possibly carried by frames supported at grade level.

755 **4. Awning sign**

756 A sign that is painted on or affixed to the surface of an awning.

757 **5. Banner**

758 A sign of any kind applied to fabric or other flexible, durable material. Flags as defined
759 herein shall not be considered banners. (See §34.6.C, §34.7.D, §34.8.B, §34.9.B,
760 §34.14.D)

761 **6. Building frontage**

762 A straight line measured from one end of the wall most nearly parallel to the public
763 right-of-way to the other end of the same wall of the portion of the building façade
764 facing a public street or facing a street with a public access easement. Neither
765 articulations nor off-sets in the wall shall increase the length of the building frontage.

766 **7. Canopy sign**

767 A sign that is painted on or affixed to the flat vertical surface of or sits on top of a
768 canopy.

769 **8. Changeable copy sign**

770 A sign that includes characters, letters, or illustrations that can be changed or
771 rearranged by mechanical, *electronic or manual* means without altering the face or
772 surface of the sign.

773 **9. Changeable copy sign, automatic**

774 A sign that includes characters, letters, or illustrations that can be changed or
775 rearranged by electronic or electro-mechanical means.

- 776 **10. Commercial message**
777 A sign, wording, logo, or other representation that, directly or indirectly, names,
778 advertises, or calls attention to a business, product service or other commercial activity.
- 779 **11. Comprehensive sign plan**
780 A plan showing the size, location, materials, structure and placement of all signs for
781 which a permit is required that are associated with a development project.
- 782 **12. Development project**
783 A property that is the subject of approval for development.
- 784 **13. Directly facing**
785 A sign shall not be considered to be directly facing another area if there is another
786 building or other obstruction of a height equal or greater to the height of the sign
787 between the sign and the facing area.
- 788 **14. Establishment**
789 A business or organization of any kind offering goods or services to the public; this
790 definition includes non-profit organizations.
- 791 **15. Finished grade**
792 The elevation of the ground at the site of the sign or at the main entrance to the
793 principal building on the site, whichever is lower.
- 794 **16. Freestanding sign**
795 A sign that is affixed to the ground, a wall that is not part of a building, or fence;
796 freestanding signs include but are not necessarily limited to signs mounted on
797 monument-style foundations, on poles, or on fences or other approved accessory
798 structures. See 0 and §34.6.E.
- 799 **17. Flag**
800 A piece of cloth or other material used as a noncommercial symbol, standard, or signal,
801 such as the flag of a local, state, or national government or private noncommercial
802 organization. See §34.5.B, §34.6.D and §34.7.F.
- 803 **18. Flashing sign**
804 A sign that incorporates the use of varying intensities or colors of light to attract
805 attention; a changeable copy sign that conforms with §34.11.B shall not be considered a
806 flashing sign; a sign shall not be considered flashing because it uses automated or
807 human-operated technology to vary the light level to adjust to the ambient light level at
808 different times of day.
- 809 **19. Incidental sign**
810 A sign that provides information or directions that are necessary for the physical use of
811 the site, including but not limited to signs that provide warnings, parking rules or way-
812 finding information. See §34.5.D, 0 and §34.7.H .
- 813 **20. Institutional use**
814 A school (non-profit), house of worship, community center, hospital, institutional home,
815 or other public or semi-public use.

- 816 **21. Landscaped beautification area**
817 An area within the public right-of-way that is substantially landscaped with flowers
818 and/or other plantings. Areas of the public right-of-way landscaped with only trees
819 and/or grass shall not be considered landscaped beautification areas.
- 820 **22. Legible**
821 A legible message is a message that can be read during daylight hours by a person
822 between 5’2” and 6” tall, standing in the nearest public right-of-way, with eyesight
823 adequate to obtain a current Virginia driver’s license.
- 824 **23. Median strip**
825 A portion of the median that is surrounded by a continuous curb, or where no curb
826 exists, is bordered by a curb cut, street, street intersection, sidewalk, utility or planting
827 strip.
- 828 **24. Nonconforming sign**
829 A sign that met all ordinance requirements at the time of installation or placement but
830 which, due to ordinance changes, does not comply with current requirements.
- 831 **25. Portable sign**
832 A durable sign not permanently affixed to the ground or to a building and designed to
833 be easily relocated; portable signs are not necessarily temporary signs for purposes of
834 this Section 34.
- 835 **26. Projecting sign**
836 A sign that is attached in a plane approximately perpendicular to the surface of a
837 building or other structure. See §34.7.I.
- 838 **27. Public parking facility**
839 As used in this §34, a public parking facility is a garage tha provides parking for members
840 of the general public, at a minimum, after business from 6:00 p.m. to 10:00 p.m.
841 Monday through Friday and either all weekend or for at least 8 hours, in total, between
842 8:00 a.m. and 6:00 p.m. on Saturday and Sunday.
- 843 **28. Separately illuminated**
844 A sign is separately illuminated if it has any internal or surface lighting or if any form of
845 lighting directed at the sign serves no other purpose.
- 846 **29. Sidewalk sign**
847 A temporary, self-supporting sign made of durable material and located on the sidewalk
848 in front of a use for which such a sign is allowed. See §34.7.J.
- 849 **30. Sign**
850 Any word, numeral, figure, design, trademark, flag, pennant, twirler, light, display,
851 banner, balloon or other device of any kind which, whether singly or in any combination,
852 is used to direct, identify, or inform the public while viewing the same from outdoors.
- 853 **31. Sign lighting**
854 (a) Direct
855 A direct lighted sign shall mean a sign lighted internally or on the surface of the
856 sign itself.

857 (b) Indirect
858 An indirect lighted sign shall mean a sign that is lighted from a source separate
859 from the sign.

860 **32. Temporary sign**

861 Any sign that may easily be moved or removed and that can feasibly be displayed for a
862 limited period of time in any one location.

863 **33. Traffic control sign**

864 A sign used for traffic control and conforming with national or state standards for the
865 design and installation of such signs.

866 **34. Umbrella sign**

867 A sign painted on or affixed to the surface of an umbrella.

868 **35. Wall sign**

869 Any sign that is affixed directly to or suspended from a wall, marquee, mansard wall, or
870 parapet wall of a building, with the exposed face of the sign in a plane approximately
871 parallel to and projecting no more than 18 inches from the face of the wall. A wall sign
872 may be either of one-piece construction or of individual connected or related letters or
873 symbols. See **Error! Reference source not found.** and O and O.

874 **36. Window sign**

875 Any permanent or temporary sign, including any decal, that is legible from the outside,
876 including plazas, public streets, and parking lots, and that is placed on the outside or
877 inside face of a window or mounted within two feet of the inside face of the window.
878 See §34.6.J and §34.7.P.

879 **§34.18. Miscellaneous provisions**

880 To be incorporated into other Sections of the Zoning Ordinance, as indicated below.

881 **A. Presumed responsibility**

882 Incorporate into Section 37.F as the 3rd sentence, following “It shall furthermore, be unlawful for any person,
883 firm, or corporation to cause or, with knowledge, permit such action to be taken upon such person’s, firm or
884 corporation’s behalf.”

885 For violations involving signs, where a sign bears a name, phone number, address, website or
886 other identifying information, there shall be a rebuttable presumption that the person or
887 entity bearing that name or controlling that phone number, address or website was
888 responsible for placing or installing the sign.

889 **B. Historic**

890 Incorporate into Section 31A.E as new number 10. Renumber subsequent paragraphs in 31A.E accordingly

891 For all signs for which a Certificate of Appropriateness is required:

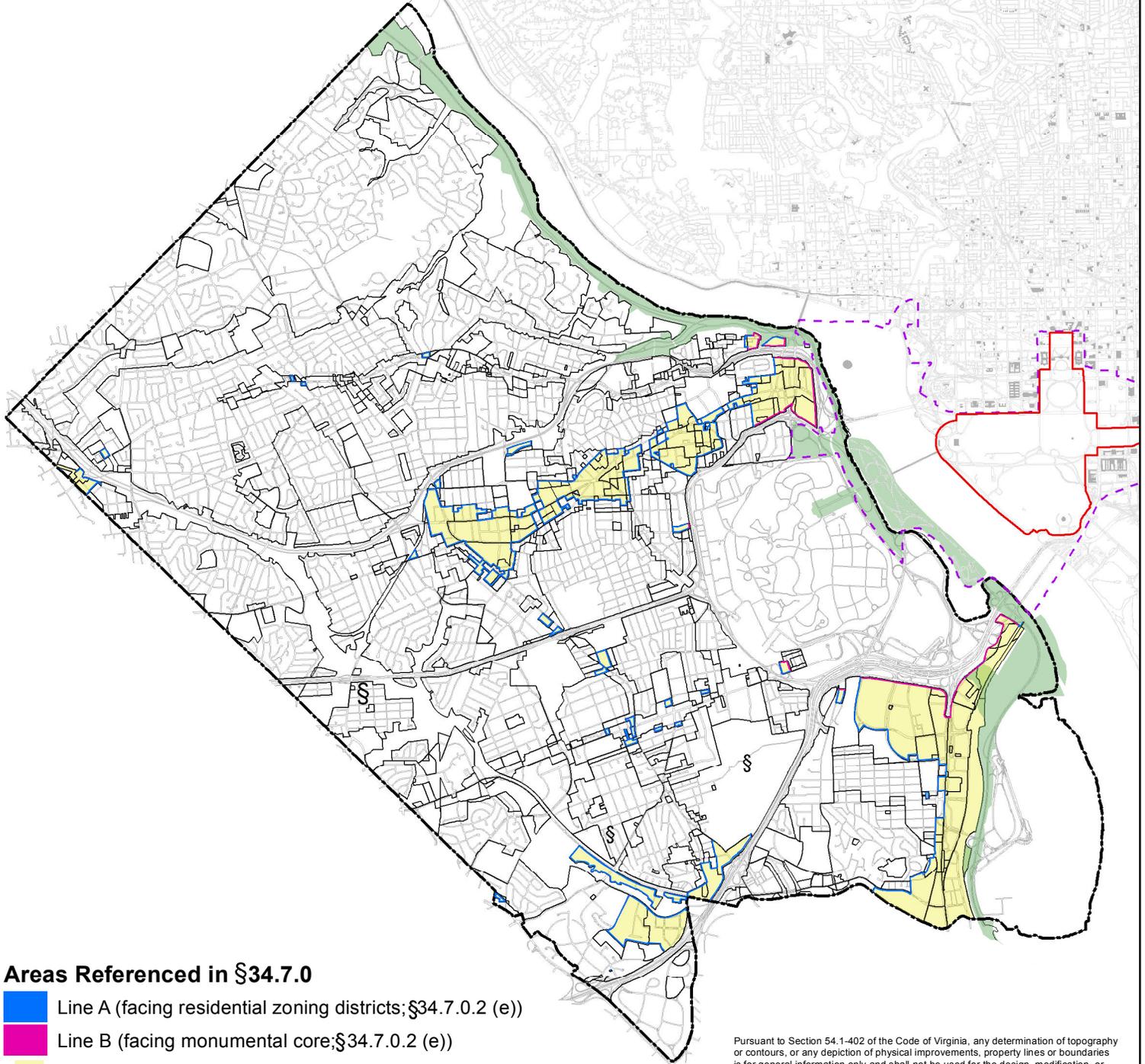
- 892 1. The Historical Affairs and Landmark Review Board shall approve a Certificate of
893 Appropriateness for a sign or modification of a sign in an historic district only if it finds
894 that:

- 895 (a) The size, scale and design of the sign shall be compatible with the size, scale and
896 design of the property, building or site upon which it is to be located;
- 897 (b) The materials used in the sign shall be compatible with the period and style of the
898 property, building or site;
- 899 (c) The lighting of the sign shall be consistent with the period and style of the property,
900 building, site or district, as applicable;
- 901 (d) The location of the sign shall not obscure any significant architectural features of
902 the building or site; and
- 903 (e) Installation of the sign shall not irreparably damage any cornice, ornament or
904 similar architectural detail and shall be the least damaging method feasible for the
905 property, building or site.
- 906 2. If the Historical Affairs and Landmark Review Board determines that no sign can both
907 meet the standards for approval of a Certificate of Appropriateness and be in
908 compliance with this Section 34, then the Historical Affairs and Landmarks Review
909 Board may approve a sign that does not comply with this Section 34, but meets the
910 standards for a Certificate of Appropriateness, such sign may be allowed.

Direction signs may face when placed above a height of 40 feet

OPTION A: See § 34.7.0.2 (e)

OPTIONS C-F: See § 34.7.0.3 (c) - (f)



Areas Referenced in §34.7.0

-  Line A (facing residential zoning districts; §34.7.0.2 (e))
-  Line B (facing monumental core; §34.7.0.2 (e))
-  Commercial, Mixed Use, and Industrial Zoning*

National Park Service Areas

-  Reserve
-  Area I
-  George Washington Parkway

Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

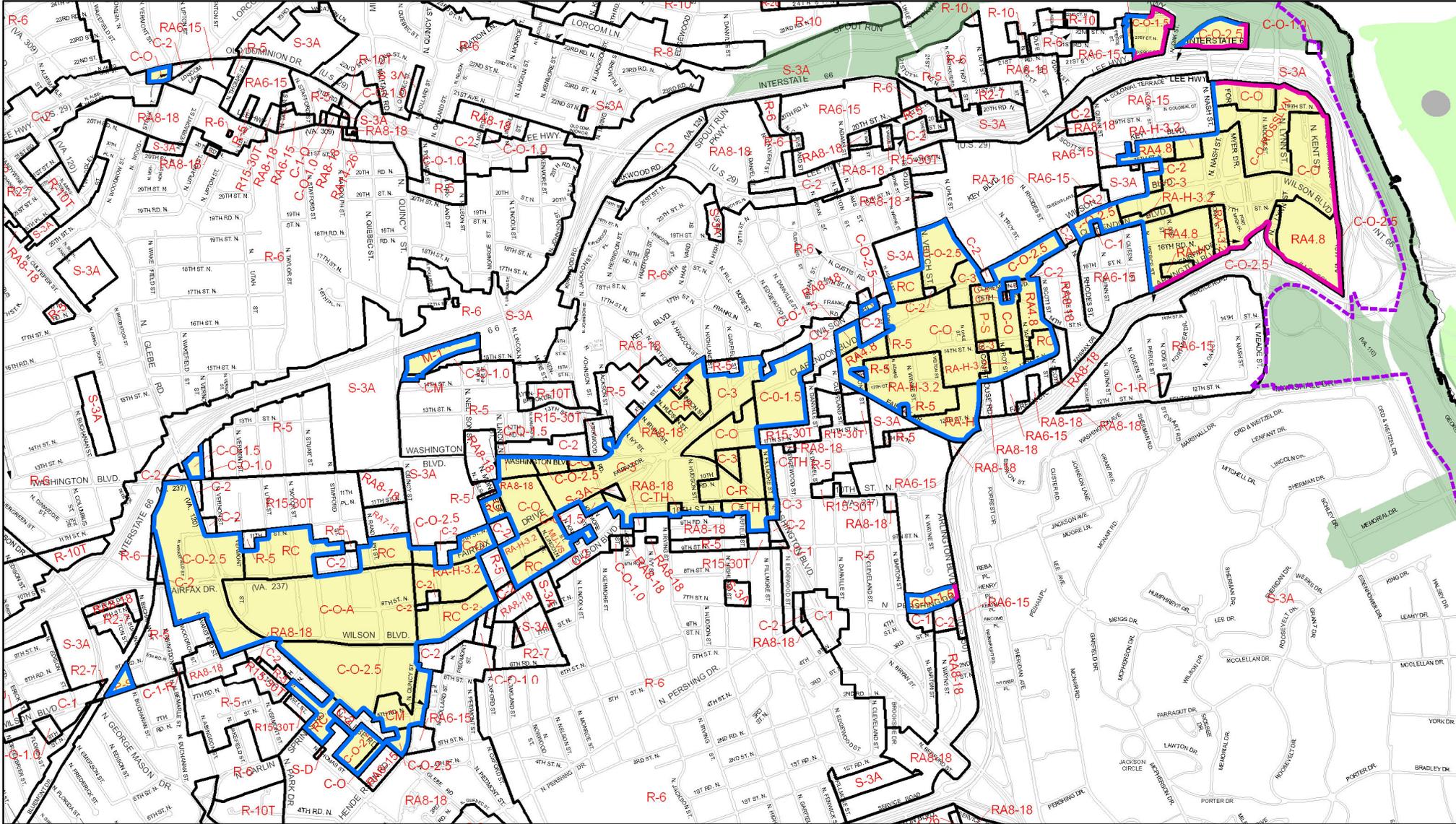
Map prepared by Arlington County Planning Research and Analysis Team
Produced and © June 2012



DEPARTMENT OF COMMUNITY PLANNING,
HOUSING AND DEVELOPMENT



*where signs may be placed above a height of 40 ft.



Areas Referenced in § 34.7.0

- Line A (facing residential zoning districts; §34.7.0.2 (e))
- Line B (facing monumental core; §34.7.0.2 (e))
- Commercial, Mixed Use, and Industrial Zoning*

*where signs may be placed above a height of 40 ft.

National Park Service Areas

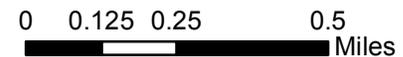
- Reserve
- Area I
- George Washington Parkway

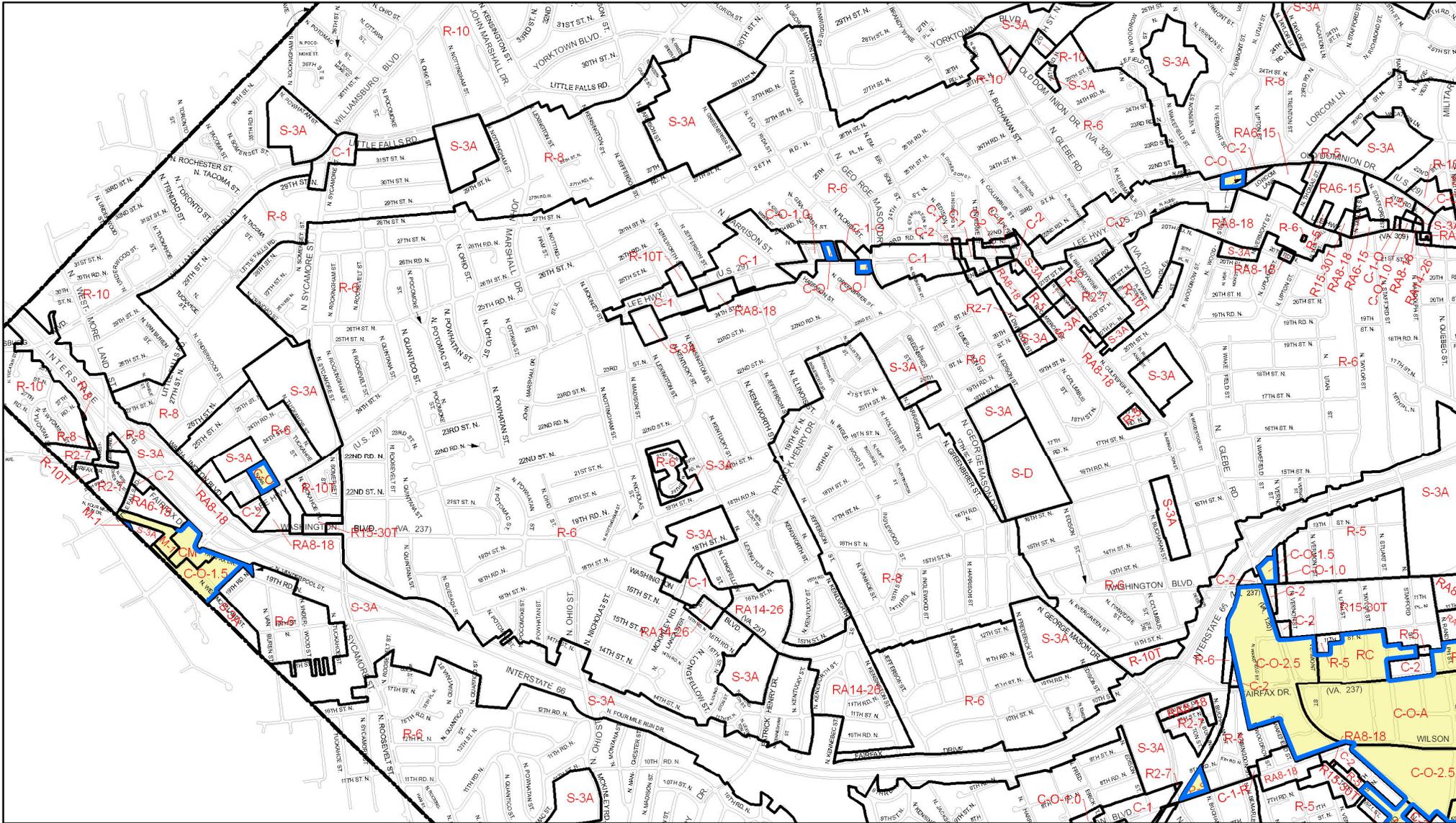
Rosslyn-Ballston Corridor



Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

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Areas Referenced in §34.7.0

- Line A (facing residential zoning districts; §34.7.0.2 (e))
- Line B (facing monumental core; §34.7.0.2 (e))
- Commercial, Mixed Use, and Industrial Zoning*

National Park Service Areas

- Reserve
- Area I
- George Washington Parkway

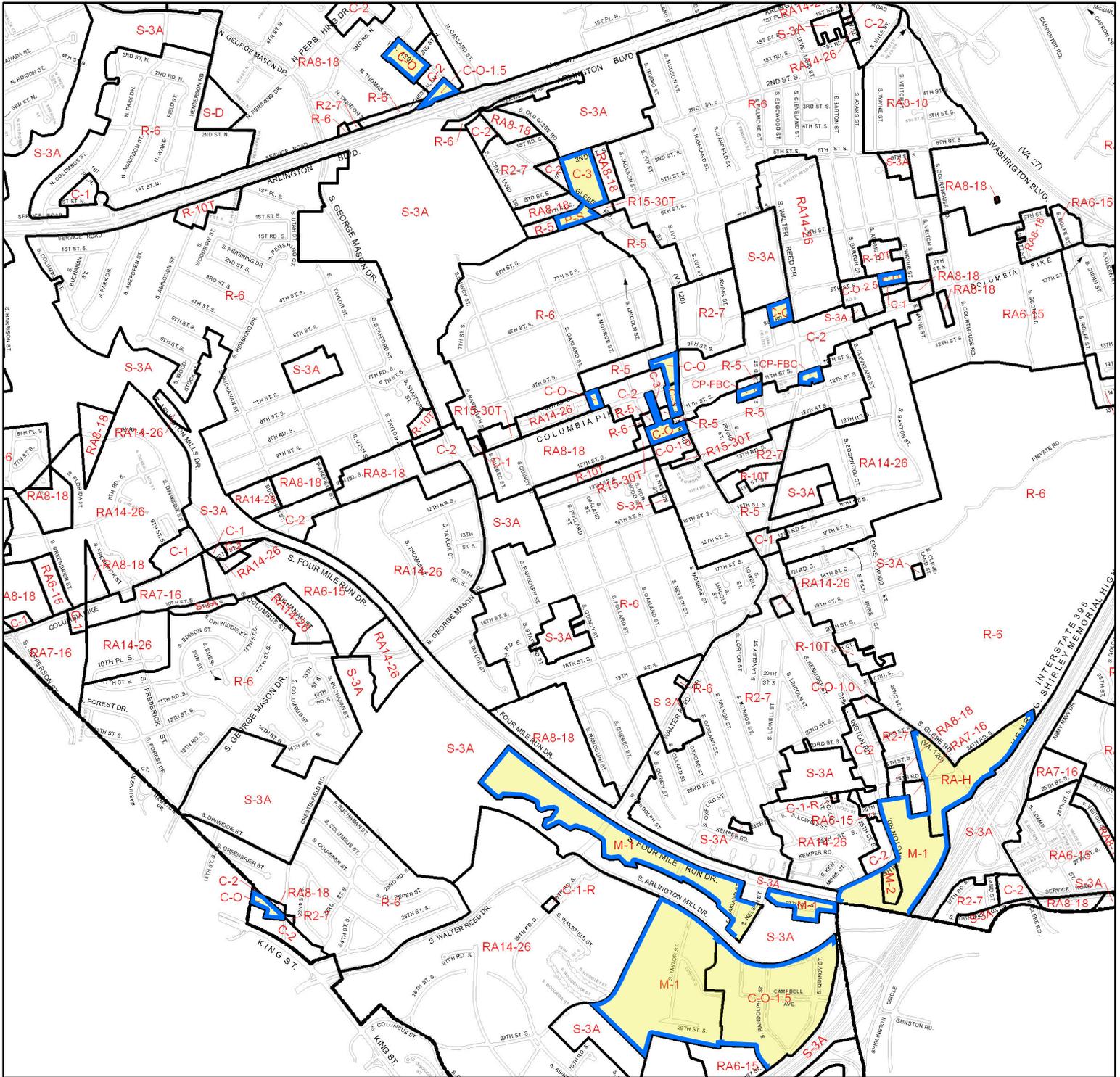
East Falls Church and Lee Highway

Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

Map prepared by Arlington County Planning Research and Analysis Team
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*where signs may be placed above a height of 40 ft.



Shirlington and Columbia Pike

Areas Referenced in §34.7.0

- Line A (facing residential zoning districts; §34.7.0.2 (e))
- Line B (facing monumental core; §34.7.0.2 (e))
- Commercial, Mixed Use, and Industrial Zoning*

National Park Service Areas

- Reserve
- Area I
- George Washington Parkway

*where signs may be placed above a height of 40 ft.

Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

Map prepared by Arlington County Planning Research and Analysis Team
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0 0.125 0.25 0.5 Miles



DEPARTMENT OF COMMUNITY HOUSING AND DEVELOPMENT



ATTACHMENT D

The Planning Commission unanimously (11-0) recommended that the County Board authorize advertisement of the proposed amendment, with seventeen specific areas where the scope of the advertisement should be broadened to allow for consideration of some additional elements at the time of adoption. These elements are summarized in Attachment E. Also included in Attachment E are staff responses and staff recommendations regarding inclusion in the advertisement for each item.

The following provides a conceptual description of the elements the Planning Commission recommendation. For the exact recommendation, please refer to the motion articulated in the Planning Commission letter.

The recommendations are numbered as “options” for reference, should the County Board wish to include any of the recommendations into the advertisement. A supplemental report will provide specific zoning language (except where denoted with an asterisk) to address the Planning Commission recommendations.

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
Modifications (subsection 34.3)		
1	<p><i>Planning Commission recommendation:</i> Require relevant civic association review of all proposed modifications.</p> <p><i>Staff response:</i> Staff does not recommend including advertising of an option to require civic association review of requests to the County Board to modify sign regulations. Public notice requirements and standard process already include notification of relevant civic associations for all special exceptions, who may choose to respond as they feel appropriate. Such a requirement would be redundant and should not be codified in the Zoning Ordinance.</p> <p>No specific zoning language will be provided in the supplemental report for this item.</p>	Not necessary*
2	<p><i>Planning Commission recommendation:</i> Allow the County Board to approve innovative elements of a sign that would not be allowed under current regulations as long as the sign conforms with standards for number, size, aggregate sign area, height, changeable copy elements, lighting, distance from residential zones, and directional restrictions.</p> <p>In addition, require that such modification requests are considered concurrently with an amendment to the Zoning Ordinance to allow other similarly situated entities to display similar signs.</p> <p><i>Staff response:</i> As discussed in the “new technology” section on page 11 of this report, staff does not recommend incorporating a modification that would allow the County Board to review requests for “innovative elements” of signs.</p> <p>Staff does not recommend advertising a requirement for a concurrent Zoning Ordinance amendment into the sign regulations. The County Board already has the authority to advertise a Zoning Ordinance amendment, and may do so on its own motion at any public hearing. Zoning Ordinance amendments studied by staff are established in a work plan accepted by the County Board</p>	No

* No specific zoning language will be provided

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
3	<p><i>Planning Commission recommendation:</i> Allow “Jumbotrons” in Metro station areas by special exception approval if the County Board finds such a sign would not adversely affect public health, safety and welfare.</p> <p><i>Staff response:</i> Staff had suggested during ZOCO discussions that drafting of regulations to allow for large media screens should be addressed through a later Zoning Ordinance amendment in order to provide more time for review and analysis.</p>	No
Signs for public districts and uses (subsection 34.7)		
4	<p><i>Planning Commission recommendation:</i> Remove all references related to public districts (S-3A, PS, and S-D) and create a new, focused subsection regulating signs in public districts (S-3A, PS, and S-D), and/or for uses found in such districts that are found in R-zones.</p> <p><i>Staff response:</i> The proposed amendment groups sign regulations into three main groupings based upon zoning district. The largest grouping includes regulations for commercial, mixed-use, industrial and public zoning districts. Public zoning districts include S-3A, S-D and P-S districts, and allow for uses such as schools, parks, government offices, prisons, community centers and other public uses. The Planning Commission expressed that public uses are specialized uses, and should therefore have specific regulations for those uses, and has therefore recommended that an additional regulatory grouping be created within the sign regulations specifically for public zoning districts as well as for public uses occurring other zoning districts. This issue was also discussed extensively with the Zoning Committee of the Planning Commission (ZOCO) through their review of the proposed draft. Neither ZOCO nor the Planning Commission provided any specific recommendations to identify what regulations would be better suited than those in the proposed amendment, to apply to school and park properties.</p> <p>The public zoning district regulations in the proposed amendment allow the same allocation of sign area to public uses as to commercial and mixed-use uses (one square foot of sign area per foot of linear building frontage). For properties that do not fit this allocation well, institutional use provisions also apply to park and school properties located in any zoning district. An institutional use may choose to use either the public district regulations or the institutional use regulations. Both sets of provisions are designed to provide adequate flexibility for the range of programming that occur on park and school properties, as well as the many multi-use properties in the County (e.g. those properties that are jointly managed by Arlington Public Schools and parks, and may include uses such as schools, parks, community centers, and theatres, among other uses), and both provisions provide for scoreboards for athletic fields. Staff met with both Arlington Public School officials as well as with parks staff to review proposed regulations for park and schools uses included in the proposed amendment in order to ensure that the proposed amendment would meet the programming needs of these important public uses.</p> <p>Schools: Staff anticipates that school properties are likely to use the public zoning district regulations in the proposed amendment (see subsection 34.7 in Attachment C), which also apply to commercial, mixed-use and industrial zoning districts. Schools utilize the same types of</p>	No*

* No specific zoning language will be provided

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
	<p>signs used by commercial and mixed-use uses, including wall, awning and canopy signs. In addition, institutional uses typically include monument signs at entrances. Four specific uses within this regulatory grouping, including schools, are allowed freestanding signs. In addition, like many properties within the County’s mixed-use corridors, schools may incorporate multiple buildings and multiple uses. In addition to the school’s main building, campuses may also include a gymnasium, an aquatics center, a theatre, and/or other uses. Furthermore, there is no template for design of school properties. Staff therefore concludes that the flexibility afforded by allowing the school designer to design signs from an allocated sign area is best suited to school properties.</p> <p>Parks: Staff anticipates that because park properties do not typically include building frontage, they are most likely to use the institutional use provisions in the proposed amendment (see subsection 34.8 in Attachment C). These provisions allow for freestanding signs at public entrances, as well as additional signs that would not require permits internal to the property because they are not designed to be read from outside of the park. This provision would accommodate signs that provide information such as rules and regulations, interpretive displays, trail identification, building names, etc.</p> <p>Finally, the current sign regulations provide for up to two freestanding signs for uses within S-3A and R-districts. Under the current sign regulations, properties within those districts where a different allocation of signs was desired had the option of applying for a comprehensive sign plan, where the one square foot of sign area per foot of linear building frontage could be applied. The proposed regulations incorporate consistent practice, as well as provide for signs specific to school and park uses.</p> <p>No specific zoning language will be provided in the supplemental report for this item.</p>	
Signs placed above a height of 40 feet (subsection 34.7.O)		
5	<p><i>Planning Commission recommendation:</i> Provide an option to prohibit all signs from being placed above a height of 40 feet</p> <p><i>Staff response:</i> Given the extensive community discussion of this issue, staff concurs that a broad scope of advertisement is warranted.</p>	Yes
6	<p><i>Planning Commission recommendation:</i> Provide an option in §34.7.O.2.e to require that all signs above 40 feet facing residential districts be turned off after 8:00 pm or, alternatively, after 10:00 pm.</p> <p><i>Staff response:</i> Given the extensive community discussion of this issue, staff concurs that a broad scope of advertisement is warranted, and recommends that an option to require signs facing residential districts be turned off after 8:00 pm, or alternatively 10:00 pm be included in the scope of the advertisement.</p>	Yes

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Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
7	<p><i>Planning Commission recommendation:</i> Provide an option in §34.7.O. 3(b) to allow roofline signs of hotels to remain illuminated at all times.</p> <p><i>Staff response:</i> The proposed amendment provides regulatory options for illuminated signs placed above a height of 40 feet. The same directional issues would exist for hotels as exist for other uses. The proposed amendment would also allow applicants to request modification of hours of illumination regulations that could be exercised for hotel uses if desired by the applicant. Staff does not recommend advertising use-specific regulations for uses typically allowed in mixed-use zoning districts.</p>	No
8	<p><i>Planning Commission recommendation:</i> Provide an option to allow only one additional wall sign to be placed above a height of 40 feet.</p> <p><i>Staff response:</i> Given the extensive community discussion of this issue, staff concurs that a broad scope of advertisement is warranted and recommends that an option to limit additional wall signs above a height of 40 feet to one sign be included in the scope of advertisement.</p>	Yes
9	<p><i>Planning Commission recommendation:</i> Provide an option to extend Line B (defining signs that face federal lands) to be inclusive of the George Washington Parkway, the monumental core, Arlington cemetery, Areas I and II as defined by the National Park Service and established by Congress by the Commemorative works Act of 1986, and referenced in the National Park Service letter dated stamped May 31, 2012; the 9/11 Pentagon Memorial; and the United States Air Force Memorial.</p> <p><i>Staff response:</i> Given the extensive community discussion of this issue, staff concurs that a broad scope of advertisement is warranted and recommends the scope of advertisement include the aforementioned areas in the regulatory options for signs facing federal lands. Following the Planning Commission meeting, staff confirmed with National Park Service staff that the full extent of Area II is shown on the attached map (Attachment I).</p>	Yes
10	<p><i>Planning Commission recommendation:</i> Add an option that would require removal of a sign above 40 feet if the tenant or owner to which the sign refers no longer occupies or owns the subject building.</p> <p><i>Staff response:</i> Requiring removal of a permitted sign following a change in tenant would amount to regulating specific content of the sign. Changes to message should not be regulated.</p> <p>No specific zoning language will be provided in the supplemental report for this item.</p>	No*

* No specific zoning language will be provided
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ATTACHMENT D

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
11	<p><i>Planning Commission recommendation:</i> Allow temporary signs to be placed only below a height of 40 feet</p> <p><i>Staff response:</i> Temporary sale and leasing signs are not proposed to be permitted to be lighted. The proposed amendment would allow such signs to be placed anywhere on the building, however, would limit their placement to below a height of 40 feet when the sign is facing and within 200 feet of a single-family (R) zoning district. Furthermore, with a total area limitation of 120 square feet, there is a practical limit to the maximum height on the building at which the sign would be effective. Upon review, the County Board has regularly supported placement of such signs above a height of 35 feet.</p>	No
Signs in the public right-of way (subsection 34.9)		
12	<p><i>Planning Commission recommendation:</i> Allow 8.5" x 11" signs on utility poles and strike language prohibiting such signs in all areas in which it appears in the proposed amendment (§34.4.E, §34.9.C.5.b; §34.9.C.5.b; §34.5.C.2)</p> <p><i>Staff response:</i> Most utility poles are not owned by Arlington County. The County prohibits signs on utility poles (both currently as well as in the proposed regulations) as part of regulating signs within the public right-of-way, as the public right-of-way is where most utility poles are located. Prohibiting such signs prevents clutter from paper flyers within the right-of-way. While the community wants to be able to post "lost pet" and other similar messages on utility poles, requirements to allow such signs would allow other noncommercial messages as well and could be used liberally by organizations promoting certain messaging throughout the County.</p> <p>Staff has accommodated requests for community messaging though proposed new allowances for "seven-day signs," which have not been allowed in the past, and would be more limited in their application, as only one sign per person or event is permitted per intersection.</p> <p>The ordinance could be drafted to avoid <i>explicitly</i> prohibiting such signs, however, at a minimum would indicate that provisions for signs in the public right-of-way do not provide permission to placed signs on utility poles. Such signs would only then be allowed with the permission of the owner of the pole. The County would lose the ability to enforce a prohibition in the event of an over proliferation of such signs.</p>	No
13	<p><i>Planning Commission recommendation:</i> Include "up to 31 days before a party nominating caucus called by a political party registered in the state of Virginia" in the chart presented in §34.5.C.5.a</p> <p><i>Staff response:</i> The extent to which this could be codified would need to be further researched and specific zoning language will only be provided if this can be codified.</p>	Yes

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
14	<p><i>Planning Commission recommendation:</i> Permit lighted address sign in all zoning districts, regardless of other lighting restrictions</p> <p><i>Staff response:</i> Street address identification numbers are required to be displayed and clearly visible and distinguishable from a distance of 30 feet under Chapter 27.12 of the Arlington County Code. Signs required by other chapters of the County Code do not need to be specifically permitted in the Zoning Ordinance. Signs permitted under the Zoning Ordinance may be used for other purposes, and may contain additional information beyond the street address. Given the existing requirement, staff concludes that the sign regulations do not need to provide for a lighted address sign.</p> <p>No specific zoning language will be provided in the supplemental report for this item.</p>	No*
illumination standards (subsection 34.10)		
15	<p><i>Planning Commission recommendation:</i> Add an option to allow the County Manager or his/her designee to work with the tenant or owner of the sign to achieve an acceptable illumination level.</p> <p><i>Staff response:</i> The County Manager may always designate staff to work with a property owner to voluntarily reduce the luminance of a sign in response to complaints, and a property owner may be willing to comply. No specific authority needs to be codified in the Zoning Ordinance initiate this type of dialogue. Perceived brightness, in particular, may be very subjective, as our perception of light changes with the weather, our age, and is impacted by our vision, and therefore it would be very difficult to enforce a provision that does not objectively define an acceptable illumination level. In the absence of zoning requirements, voluntary compliance would be the only measure available. One of the goals of the update to the sign regulations included codifying clear and objective standards. Luminance limits are a relatively new concept in sign regulation, introduced in many jurisdictions to address digital billboards and other automatic changeable copy signs. While other jurisdictions, of which staff is aware, have not incorporated luminance limits for conventional signs, the sign industry (United States Sign Council) has recommended maximum luminance limits in its model sign code (although limits included in that code are significantly greater than those proposed by staff).</p> <p>No specific zoning language will be provided in the supplemental report for this item.</p>	No*
16	<p><i>Planning Commission recommendation:</i> Add an option to require that illuminated signs placed below a height of 40 feet and facing R and RA districts be allowed to be illuminated at no greater than the maximum allowable levels for R and RA districts and be turned off at 10 pm.</p> <p><i>Staff response:</i> Luminance standards in the proposed amendment would limit the maximum levels to which signs could be lighted. Additionally, staff supports allowing retail level signs to be lighted during the hours a business is open, which in many cases may be later than 10 pm.</p> <p><i>Staff suggestion:</i> Should the County Board wish to incorporate additional limits for signs in proximity to residential districts, staff would suggest incorporating a luminance level only, and not to include a time frame.</p>	No

* No specific zoning language will be provided

ATTACHMENT D

Option	Planning Commission recommendation for advertising and Staff response Staff recommendation regarding inclusion in advertisement? →	
17	<p><i>Planning Commission recommendation:</i> Defer consideration of parking signage amendment (see line 16-17 in Attachment B) in the FBC until the language can be reviewed by FBC AWG and ZOCO</p> <p><i>Staff response:</i> Staff reviewed proposed FBC amendments with the Form Based Code Advisory Working Group (FBC AWG) over four meetings with that group. However, following review of Pike 3400 (Rosenthal) project at the May 2012 County Board meeting, it was brought to staff’s attention that parking signs are not well addressed in the FBC. While projects in conventional zoning districts may allocate sign area to parking signs from their overall sign area, FBC regulations allocate a total of three signs to office and retail tenants only. This precludes provision of any signs to identify shared parking facilities. The proposed amendment would allocate an additional three wall or blade signs for each entrance to shared parking. Such signs would be subject to the same area and dimensions as signs for retail and office tenants, and would be consistent with signs supported by the FBC AWG and staff, and approved by the County Board for FBC projects.</p> <p>FBC AWG members were notified several days prior to the June 4, 2012 Planning Commission hearing on this Request to Advertise, and were encouraged to contact staff with any comments and concerns. Staff continues to recommend advertisement of the proposed amendment.</p>	No

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
34.1 Purposes		
It was suggested that the purposes were withheld from the public at the most recent public meeting.	The intent of the September public meeting was to share recommendations and obtain feedback at the policy level. Purposes were available for review at subsequent public meetings.	Citizen
The purposes are auto-oriented, yet visual clutter also hurts pedestrians (9/21)	Purposes will be edited to reflect both auto- and pedestrian-oriented purposes.	Citizen
Preamble should include language from the current ordinance preamble that cites signs as potential public nuisances	The purposes were to incorporate this purpose.	Citizen Focus Group
<p>1. Sign Ordinance Preamble</p> <p>Expand the Preamble to explain the rationale behind the treatment of commercial and non-commercial signs.</p> <ul style="list-style-type: none"> o Agree: 49 o Disagree: 0 o Can't Decide At This Time: 5 	Commercial messages are addressed as follows: While there is no preamble in the proposed amendment, purposes are provided (see 34.1); "Commercial message" is defined. See 34.17.B.10; All allowed signs indicate whether commercial messages are allowed (see 34.5, 34.6, 34.7, 34.8).	Civic Federation Straw votes from their meeting of 11/1/11
Safety. Please add safety to the Preamble that explains the reason why Arlington regulates signs.	The proposed amendment includes purposes to address safety in subsection 34.1.	
34.2 Applicability		
Could there be a size bonus for creative signs? This could discourage cheap signs and encourage high quality innovative signs	Creativity would be a subjective measure. The draft attempts to incorporate flexibility in order to allow for creativity.	BIDs/ Partnerships
Would murals not on a wall (sidewalk, etc.) be permitted?	Staff has not proposed to allow murals on sidewalks. As drafted, anything painted on a window would be regulated as a sign, subject to the regulations for window signs, which permit at total area of up to 20% of the window, however, window sign regulations have been clarified to allow 20% of the window opening (rather than each pane of glass) in order to incorporate additional flexibility for window signs.	BIDs/ Partnerships
How is art on a window counted?		Brokers/ Property Managers
Would art [on a wall] related to a business be considered a sign?	Yes. As drafted, only art meeting defined standards would not be regulated as a sign. Proposed standards identify displays including any text, or symbols/graphics related to a business on the premises, as a sign, and therefore would be regulated under the sign ordinance.	Brokers/ Property Managers
If signs are not visible from the public ROW, is it regulated? Something that is not visible from the street (right of way) should not be regulated by the county (no matter what it is or where it is)	Yes, signs not visible from the ROW are regulated, except where specifically stated. Signs <i>inside</i> a building and not visible from the public ROW are not regulated.	Brokers/ Property Managers; Citizen Focus Group
Prevent rolling mobile billboards with zoning language regarding signs on vehicles	Rolling billboards are covered in the prohibited signs subsection (34.4.N).	Public participant at ZOCO meeting
Gas pumps are freestanding signs and should be addressed by the ordinance.	Staff concurs. The provisions for signs on gas pumps are proposed to be regulated as freestanding signs (see 34.7.G.4(b) in Public Draft 3)	

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
34.3 Modifications		
No modification to regulations is concerning. Ability to create a great sign would be limited and would like to see an avenue for requesting modifications, such as exceptions for designs of high quality. It is difficult to have an ordinance that is one-size-fits-all that also allows for special places	Staff has incorporated flexibility into the regulations in order to allow for creative signs within defined standards that would limit the need for interpretation by the Zoning Administrator, as follows (continued on next page):	BIDs/ Partnerships
Other counties don't have the same objectives that encourage creativity and innovation, therefore the no modifications doesn't make sense—innovation can help to create a sense of place through signage. What works for one neighborhood in Arlington does not necessarily work for another.	<ul style="list-style-type: none"> • Eliminated the depth requirement for wall signs; • Incorporated flexibility for placement of signs on walls, awnings or canopies; • Removed restrictions on number of signs within permitted sign area. 	Citizen Focus Group (10/27)
No modifications inhibits creativity, innovation—can't have it both ways. And invites varying interpretations from different zoning administrators. There needs to be a County Board process for appealing the decision of the Zoning Administrator. An analogy is the FBC, whereby the site plan process was retained for creative/bigger projects.	<p>What has been eliminated is the ability to request additional sign area or request sign types that are specifically prohibited.</p> <p>However, staff has proposed some defined legislative review of signs [see Public Draft 3]</p>	Citizen Focus Group (10/27)
Allow more vibrancy in design—concern that the proposed ordinance may create sterile signs especially given the lack of opportunity for modifications. The ability to create great signs is limited. Boston's signs were given as an example.		BIDs/ Partnerships
Concerns that there is no process for unique situations or signs to gain County Board approval	The draft attempts to anticipate each eventuality, However, the ordinance could be amended in the future if unanticipated sign types or unanticipated uses are identified.	Chamber of Commerce
It is not complementary to have an ordinance that is broad enough to have flexibility and thorough enough to allow all signs administratively. Alternatively, have a sign expert, or sign advisory committee to make decisions about permitted signs.	Most jurisdictions in Virginia are not enabled to have design review boards (other than for historic preservation)	Citizen Focus Group (10/27)
Typical Arlington zoning code is based on a minimal by-right. Sign regulations should be crafted the same way.	The draft sign regulations are not intended to reinvent sign policy in Arlington. While some new sign types are included, and some process changes are proposed, most regulations in the draft reflect current regulations and/or current policy guidance.	Public participant at ZOCO meeting
[Response to ZOCO discussion] The discussion seems to be moving backwards toward a more restrictive ordinance; it is unlikely a developer would build a taller building to get more sign area (3/6/12)	While maximum sizes for individual signs have been increased for some sign types, and numbers of signs has been increased, TOTAL SIGN AREA has not been increased. The changes in the draft are incorporated to increase the variety of sign types within the sign area allotted.	Public participant at ZOCO meeting
Allow an applicant to request County Board approval for sign area to be increased by 20%	Staff does not propose an increase in sign area through special exception at this time. The draft	Public participant at

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Consider an increase in sign area on a percentage basis as opposed to the proposed modification that would allow reallocation of sign area (3/6/12)	incorporates the 1 sf of sign area per foot of linear building frontage long used in the County, as well as typically used in other jurisdictions to regulate sign area. Defined modifications are incorporated to address hours of illumination, unusual lot configuration and to allow an increase of maximum size of individual signs for a building within allocated sign area, providing some flexibility while maintaining consistent, predictable standards.	ZOCO meeting
34.3 No Modifications (process)		
There should be a document with principles, and the County Board should be able to determine whether or not a proposed sign meets the principles by either deciding they really like it and we want it, or it does not meet the principles, so we cannot approve it.	Staff is recommending that most signs be approved administratively.	Citizen Focus Group (10/27)
No modifications at all is not the only option. There are four levels of scrutiny available in a sign ordinance: 1) things we allow 2) thing we allow with permits 3) things we prohibit 4) things we allow with discretion. (9/21)	The administrative process proposed with incorporation of clear standards would offer the same creative and flexible alternatives to all applicants. The administrative process would also be more predictable for an applicant, as well as faster and easier to navigate than a discretionary process.	Public participant at ZOCO mtg
Development community would like to retain the option of requesting modifications to provisions from the County Board (9/21)	The intent of providing defined standards in the zoning ordinance is to create predictability so that businesses and other users of signs may know exactly what to expect to be able to install and neighbors may know exactly what they may expect to find installed on adjacent buildings.	Public participant at ZOCO mtg
Staff wants to simplify their job, which is why the no modification provision is being proposed; the proposed regulations are designed to cut out residents and prevent them from having input	However, staff has proposed some defined legislative review of signs [see Public Draft 3].	Public Forum (Oct 19)
Residents do not want complete administrative approval. Things that work in one area in Arlington will not work in others. Special exceptions encourage dialogue between residents and applicants. If there is no process for review by the County Board, issues will not come to the County Board's attention.		Public Forum (Oct 19)
Removing discretionary approval leaves no recourse for undesired signs. This is not the "Arlington Way". People in live in Arlington because they have a voice in what happens in the County.		Public Forum (Oct 19)
Concerns that small businesses would be more affected by this provision than big developers because they don't necessarily have the time, resources or knowledge to work the system		Chamber of Commerce

ATTACHMENT E

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>Any changes towards more flexibility from the old ordinance is great. The addition of A-frames and umbrella's is excellent. I think that when things are spelled out completely, it will be difficult to find loopholes to do something different. Thus, if it is spelled out it needs to encompass the widest array possible. Having said that, please know that signage for 95% of businesses is pretty much straight forward and at present time, most items are covered in the Ordinance. It is financially driven. Small businesses cannot afford to do something truly out of the box that would need variances, etc. They just want to get the word out, be visible, and quickly. Larger corporations and national chains have a different need as their branding becomes much more of a territorial issue.</p>	<p>Response on previous page.</p>	<p>Sign Industry participant</p>
<p>Most stakeholders seem to want some kind of provision for appeal to address the 5-10% special cases. Why is staff recommending no modifications?</p>		<p>Public Forum (Oct 19)</p>
<p>It is not possible for staff and citizens to have full knowledge of what is going on when an applicant paints a picture of what their reality is. Citizens' only recourse is the County Board (non-tax paying people seem to have more of a voice than citizens)</p>		<p>Citizen Focus Group (10/27)</p>
<p>An example of successful process – a business owner spoke with the resident, civic association worked with the resident and the business owner. A system of checks & balances was provided.</p>		<p>Public Forum (Oct 19)</p>
<p>There are many instances where applicants interact with civic associations “off the books” through the current sign approval process (1/5/12)</p>		<p>Public participant at ZOCO mtg</p>

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>Flexibility and Special Exceptions: This continues to move in a positive direction but we continue to believe that room must be made for new technology and unexpected changes in signage. The County Board must retain the ability to consider and approve future requests for exceptional signs.</p>	<p>New technologies should be anticipated. However, staff recommends that new technology requests be addressed through a Zoning Ordinance amendment so they can be assessed on a County-wide basis. Staff concurs that there are opportunities built into the existing public process in Arlington for citizens and applicants to suggest ideas to the County Board.</p> <p>Allowing special exceptions for new technology would in many cases, allow the County Board to approve signs and sign characteristics that are specifically prohibited. Should the County wish to accommodate prohibited signs or sign characteristics, they should be assessed on a County-wide basis rather than a case-by-case basis, in order to broadly review appropriateness and inputs.</p>	<p>NAIOP (letter to staff from 4/26/12)</p>
<p>Could either the Zoning Administrator or County Manager have control over a waiver of regulations?</p>	<p>No, the Zoning Administrator and County Manager do not have the authority to waive or make exceptions to zoning regulations.</p>	<p>Chamber of Commerce; Public Forum (Oct 19)</p>
<p>Residents should not have to wait until the full sign regulations come before the County Board, months from now in order to determine whether the no modifications provisions is appropriate</p>	<p>Several public forums and focus group discussion were scheduled throughout the process in order to allow opportunities for feedback throughout the process and prior to asking the County Board to advertise or consider a proposed amendment.</p>	<p>Public Forum (Oct 19)</p>
<p>Recodifying and restructuring is good. However, communities and businesses have been making the same comments all along. When those comments are not incorporated it makes you not want to be part of the process. (1/5/12)</p>	<p>Defined opportunities for legislative review of signs designed to accommodate oddly shaped lots, reallocation of sign area to increase the size of one sign per building, and modification of hours of illumination for lighted signs placed above a height of 40 feet are incorporated into the proposed amendments. Other regulations are codified with defined standards in order to facilitate predictability. Defined standards incorporate a significant amount of additional flexibility such that many signs that previously required County Board approval could be administratively approved (e.g. awning signs, canopy signs, projecting signs larger than 3 sf, among others).</p>	
<p>There has been no study and no creative solutions proposed by staff about how to allow modification of regulations in the ordinance. (1/5/12)</p>	<p>Defined opportunities for legislative review of signs designed to accommodate oddly shaped lots, reallocation of sign area to increase the size of one sign per building, and modification of hours of illumination for lighted signs placed above a height of 40 feet are incorporated into the proposed amendments. Other regulations are codified with defined standards in order to facilitate predictability. Defined standards incorporate a significant amount of additional flexibility such that many signs that previously required County Board approval could be administratively approved (e.g. awning signs, canopy signs, projecting signs larger than 3 sf, among others).</p>	
<p>Identify the rooftop signs you do not like. The current process has not failed with regard to rooftop signs. There are no objectionable signs out there. (1/5/12)</p>	<p>There are a range of views in the community with regard to existing "rooftop" signs. A range of options is included in the draft in order to obtain feedback on various options.</p>	

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
There are situational exceptions that a by-right ordinance cannot address such as a business on a transitional lot in an R-district that wants a sign facing a commercial area. There should be a process for these exceptions. (1/5/12)	The draft ordinance does not propose to change provisions regulating signs on transitional lots in R-districts. Regulations for transitional lots within R-districts are intended to reflect R-district character.	
34.4 Signs Prohibited in all Districts		
Signs projected onto surfaces may be appropriate for special events	Staff has not proposed to allow signs projected onto surfaces at this time.	BIDs/ Partnerships
Would "sail" signs be permitted? What does it matter if things flap or blow or move on signs?	The purpose of prohibiting moving, flashing signs is to minimize potential traffic distractions. "Sail" signs and balloons would fit into the moving category, and would not be permitted under the proposed draft	Brokers/ Property Managers
Balloons/fabric waving in the wind is distracting (8/22/2011 Summary)		EDC/RTF
Transit needs to allow moving copy. (12/6/2011)	Subsection 34.11 has been edited to reflect moving copy for transit signs	Public participants at ZOCO meeting
People have been cited for balloons and other signs. (12/6/2011)	The draft continues to prohibit balloons, as an over proliferation of balloons could become a nuisance.	
34.5 Signs in single-family		
Only one flag pole might be too restrictive; some people have one US flag and one other flag. Perhaps one pole should allow for separate lighting since the US flag must be lighted during evening hours or overnight.	Staff concurs. The current ordinance permits up to 6 flags and does not regulate flag poles. The draft has been revised to permit up to 6 flags and 3 poles and to allow the surface of the flag to be lighted.	Citizen
I recently was attempting to submit a sign permit application for a construction project in order to market our project with a site sign. I found out after reviewing Section 34 and speaking with Zoning officials, that it is illegal to place a sign on private residential property, with a single family home, greater than 4.5 sf. Many of the signs I see builders have placed in front yards are not in compliance. They are generally 20-32 sf	One of the stated purposes of the proposed regulations is to prohibit most signs with commercial messages in residential zoning districts. However, the proposed amendment would permit up to three temporary signs with commercial messages and up to 6.5 sf in size, within one-family zoning districts.	Builder
Inconsistency between page 11 and page 29 regarding traffic control signs [public draft 2]	The draft has been edited to resolve inconsistencies.	Public Forum participant (Oct 19)
2. List of Legally-Placed Signs Include examples of the types of commercial and non-commercial signs allowed on private property and on public property. <ul style="list-style-type: none"> o Agree: 51 o Disagree: 0 o Can't Decide At This Time: 3 	Photos are included in the proposed amendment.	Civic Federation Straw votes from their meeting of 11/1/11
34.6 Signs in multifamily		
There is no mention of rooftop or near rooftop signs in the RA districts section.	The proposed amendment would not allow signs to be placed above a height of 40 feet in S-3A, S-D, R, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-O-	Public Forum participant (Oct 19)

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
There is no height restriction for wall signs in multi-family districts	(continued from previous page) 1.0, C-1-O or C-1-R districts. In addition, the maximum sign size for wall signs in these districts would be 24 sf, which would naturally limit the maximum height at which it would be useful.	Public Forum participant (Oct 19)
34.7 Signs in Mixed-use		
How are signs for interior anchor stores in Crystal City accommodated? Calculating sign area based on linear frontage does not work for interior businesses.	The proposed regulations allow for approval of directory signs meeting defined standards, through a comprehensive sign plan, but does not propose to allow exterior signs for interior tenants	BIDs/ Partnerships
In Crystal City, while we do not necessarily want to see a lot of signs, it would be useful to have signs to identify interior retail (current ordinance only allows signs for exterior entrances)	Response on previous page	Public Forum (Oct 19)
Calculation of linear frontage is not well-defined; Frontage definition could exclude too much (make putting signs on articulated buildings difficult)	Staff concurs, and has incorporated a proposed definition of building frontage in the definitions subsection (see 34.17)	Chamber of Commerce
What is the significance of the 24-foot height limit for wall/rooftop signs?	The proposed amendment has been modified to allow wall signs to be placed up to a height of 40 feet when no comprehensive sign plan is submitted. The 40 foot limit would allow for signs on first and second story retail. Where there is an approved comprehensive sign plan, up to two signs per building could be placed above a height of 40 feet in certain zoning districts (signs above a height of 40 feet would NOT be allowed in S-3A, S-D, R, RA14-26, RA8-18, RA7-16, RA6-15, C-1, C-2, C-O-1.0, C-1-O and C-1-R districts).	Chamber of Commerce
There are no height restrictions for wall signs; this should be explored.		Public Forum (Oct 19)
Allow for vertical signs on tall structures		BIDs/ Partnerships
My biggest issue are window graphics. As larger and/or multiple glass panels are incorporated into window bays as part of the façade structure, the possibilities are endless to really do some very creative work for all of the phases a location goes through and it is perhaps the most economical signage on the market. The 20% allowed coverage is completely limiting and the permit costs for a multi-panel sign is forbidding. It also locks out the possibility of tenants who may want some privacy behind the windows whether it is a doctor's office with treatment rooms or a storage room.	The proposed amendment would allow up to 20% of the window <i>opening</i> up to a maximum of 80 sf per sign, using the area between structural portions of the building (the window opening) as the area from which the 20% would be calculated. This provides some additional flexibility for windows separated into small panes of glass by mullions.	Sign Industry
Occupied spaces with non-retail tenants should allow them to have some graphics on the window because some businesses need privacy so they pull the shades (frequently ugly) to provide the privacy – particularly where offices locate in retail spaces		BIDs/ Partnerships

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
20% calculation for window coverage is confusing and needs clarification.	Response on previous page	Chamber of Commerce
Some creative ideas may need to be implemented to address “edge” areas where residential area are near mixed use areas and vice versa	The proposed amendment incorporates different lighting standards for residential and public districts; transitional districts (e.g. service-commercial land uses); and all other zoning districts. The lowest illumination levels would be required in residential and public districts.	Public Forum (Oct 19)
In 34.5, 34.6 and 34.7, reference to the “following table” is misleading, as there are many tables embedded in each of these subsections	Staff concurs, and has edited these subsections for clarity	Public participant at ZOCO meeting
Consider minimum clearance height for banners of 8’6”	Staff concurs and has revised the draft to incorporate these suggestions. The definition for banner has been edited to reflect “other flexible, durable material.”	Public participant at ZOCO meeting
Provide flexibility of materials for banners. Crystal City BID uses vinyl. (1/18/12)		
6 sf maximum for banners on poles is ok, but not on smaller poles (1/18/12)	The 6 sf is a maximum, not a requirement. Given the limited size of these banners, additional size limitations for differently sized poles would complicate the provision.	Public participant at ZOCO meeting
Temporary window signs provide an enforcement issue. By switching to a permanent sign, a property manager self-addresses the clutter that can be caused by permanent signs; therefore including permanent window signs in aggregate sign area will discourage permanent signs, which are higher quality (1/18/12)	Window signs have not previously been included in allocated sign area. The draft eliminates the distinction between temporary and permanent signs because temporary signs can be continuously displayed for 30 days at a time, which has the same cumulative impact as a permanent sign.	Public participant at ZOCO meeting
In the past it has been prohibitively expensive to have multiple window signs due to need for multiple permits (1/18/12)	Public draft 3 would not require permits for window signs.	Public participant at ZOCO meeting
34.7 Signs in Mixed-use (sidewalk signs). <i>Note: As part of a Zoning Ordinance amendment adopted by the County Board in December 2012, sidewalk signs were adopted as a permitted sign type. The following comments were submitted subsequent to adoption of the amendment and are in response to adopted provisions.</i>		
Why does the adopted ordinance allow only A-frame signs and not windmaster signs. Windmaster signs are more attractive and smaller than typical A-frame signs.	As sidewalk signs were a new sign type for the County, the initial proposal brought to the County Board in December was limited in the types of signs it would allow. However, at this time, the	Broker/Property manager participant

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
 <p>I wanted an opportunity to re-start the discussion regarding wind-resistant signs (see picture). We do not understand why this sign creates a risk to visually impaired people. It's base is easy to identify and won't pose a risk of falling down.</p>	<p>(continued from previous page)</p> <p>proposed amendment would modify the adopted sidewalk sign provisions to allow wind-resistant type signs that would be consistent with the intent of the adopted provisions, in that they would be detectable to vision impaired pedestrians</p>	<p>Broker/ Property manager participants</p>
<p>Wind Resistant Signs: Due to observations and complaints from building owners and lease holders regarding the approved A-Frame signs, we believe that the ordinance should be modified to allow for more wind resistant signs to be placed on the ground in the public right of way. More durable and stable ground signs are available which would meet the intention of the County's new policy. (4/26/2012)</p>		<p>NAIOP (letter to staff from 4/26/12)</p>
<p>34.7 Signs in Mixed use (signs near the roofline)</p>		
<p>Signs near the roofline have been greatly reduced in this draft. It is very important that signs are visible, especially with BRAC changes and the need to re-lease buildings</p>	<p>Proposed sign area for signs above a height of 40 feet has been revised. Proposed sign area for these signs is intended to be consistent with the sign area currently allowed, but more predictable</p>	<p>Public Forum (Oct 19)</p>
<p>Signs above 35 feet should be scrutinized differently from lower signs because the impact is larger</p>	<p>based on the height and width of the façade on which the sign is placed.</p>	<p>Public Forum (Oct 19)</p>
<p>Concerned about allowing rooftop signs altogether; especially when seen from National Park land/the National Mall/Arlington cemetery and residential areas (BAE sign is an example)</p>	<p>Illumination: revised provisions address hours of illumination of lighted signs facing residential uses and facing the Monumental Core, Arlington Cemetery and George Washington Parkway.</p>	<p>Public Forum (Oct 19)</p>
<p>The burden of proof of a rooftop sign is during the application process. There should be an appeals process to deal with the 2% of signs people have a problem with</p>	<p>Several options are presented for review. In addition, luminance limits have been proposed for all signs.</p>	<p>Public Forum (Oct 19)</p>
<p>Consider allowing rooftop signs that are not illuminated at the top of buildings (1/5/12)</p>	<p>The proposed amendment would allow signs at the roofline that are not lit. In addition, a range of regulatory options are included for lighted signs above a height of 40 feet.</p>	<p>Public participant at ZOCO meeting</p>
<p>Provide a survey of all existing rooftop signs and compare against proposed area for rooftop signs. (1/5/12)</p>	<p>Staff has reviewed a sampling of existing rooftop signs as part of the study for the proposed revisions.</p>	<p>Public participant at ZOCO meeting</p>
<p>"Signs at the roofline" is confusing as stated in current draft (1/5/12)</p>	<p>This term has been removed. Commercial and hotel buildings with a height greater than 70 feet would be allocated additional sign area. Placement standards for all signs placed above a height of 40 feet are also included in the draft.</p>	<p>Public participant at ZOCO meeting</p>

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Rooftop signs are important to the tax base (1/5/12)	Staff understands that corporate tenants enjoy the opportunity to be able to place signs at the roofline.	Public participant at ZOCO meeting
Signs at the Roofline (comments in response to draft options for signs at the roofline. Draft provisions would allow signs at the roofline on buildings > 70 feet, but further restrict hours of illumination based on distance and direction with regard to signs facing residential areas (OPTION B); an alternative provision would provide a map outlining those areas where signs at the roofline are allowed and allow signs to face away from or perpendicular to the line, but not toward the line unless there is another building or structure blocking the sign (OPTION A))		
Over the next 30 years, the Jefferson-Davis corridor will be the recipient of a lot of new development, and therefore will get less protection from any “grandfathering” of existing signs because signs on new buildings will be subject to new sign regulations. (3/6/12)	The intent of OPTION A, which provides a map to identify locations where signs could or could not face, is to codify a location-specific rule regarding which direction signs could/could not face. OPTION A would not allow signs to face out from corridors toward R and multifamily RA districts.	Public participant at ZOCO meeting
The unique topography of the Arlington Ridge neighborhood needs to be addressed in the regulations for signs at the roofline; the only place a sign facing the neighborhood can be seen is by the residents who live there, as the neighborhood blocks views from I-395; allocating sign area proportionally to the façade may encourage signs on the large faces of buildings, which in Crystal City are more likely to face Arlington Ridge; beacon buildings in Pentagon and Crystal City should not be rewarded with additional sign area (3/6/12)		Public participant at ZOCO meeting
Arlington generally does a good job with signs, and reliance on history is understandable, but consider plans for the future and impacts on neighborhoods that are planned to be surrounded by tall buildings in the future; the only thing that has kept signs from facing Arlington Ridge in the past has been County Board review (3/6/12)		Public participant at ZOCO meeting
OPTION A for signs above 40 feet presents some issues, particularly where the line has many turns – it would seem to preclude any signs in some locations. It would specifically preclude the existing CEA sign in Crystal City; with regard to signs facing the monumental core, keep in mind what is between the signs and the core. (4/18/2012)		Participant at ZOCO meeting
Preference for OPTION A for regulating signs above 40 feet; however, the current process for approving such sign through County Board review is not broken (4/18/2012)		Participant at ZOCO meeting
Signs above 40 feet should not be allowed by-right. Codifying a by-right standard would actually result in a need to be too restrictive with these signs. (4/18/2012)	A range of regulatory options has been presented at this time in order to reflect and review the full range of views on this issue. OPTION A and OPTION B provide regulatory options based on different parameters and methodology.	Participant at ZOCO meeting

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Comment	Response	Participant
Sensitivity to residential areas is good. Take a look at NYC and London for good examples. (4/18/2012)	Staff has considered current Arlington practices, practices of other cities, and practices of other jurisdictions within the Metropolitan region when drafting regulations for signs at the roofline.	Participant at ZOCO meeting
Multiple signs are important to corporate tenants and the direction a sign faces is important: signs perpendicular to line of sight on a smaller frontage may be preferred over a larger sign parallel to line of sight. (3/6/12)	The draft would allow for up to two signs at the roofline, consistent with current guidelines. OPTIONS A and B are provided in order to publicly review a range of options with regard to direction, proximity to residential and size of signs.	Public participant at ZOCO meeting
Building owners and managers also play a role in limiting sign size and placement	OPTIONS C, D, E, and F provide a range of options regarding signs facing federal lands.	Public participant at ZOCO meeting
It would be impossible to codify standards for rooftop signs allowed by-right.		Public participant at ZOCO meeting
Encouragement to prohibit all signs above 40 feet from facing the memorial core. (4/18/2012)		Participant at ZOCO meeting
Reminder of reasons why the sign regulations are being reviewed: to make things easier on the County Board and make things easier on the property owner while protecting residents. There is a difference between impact of signs and dislike of signs (4/18/2012)		Participant at ZOCO meeting
In Crystal City, if signs cannot face the Cemetery or memorial core, all signs would have to face the neighborhood (4/18/2012)		Participant at ZOCO meeting
The current market is not good and businesses need signs; needs of the biggest tax payers in the County should be respected. (3/6/12)		Public participant at ZOCO meeting
It is also our belief that recently approved signage packages have been good policy, allowing signage to face I-66, the GW Parkway and areas to the east while limiting hours of illumination from 7 p.m. to midnight.		NAIOP (letter to staff from 4/26/12)
We believe that [the following] Option [as presented during the public process] would best serve Arlington and be most supportive in keeping office space leased: for buildings over 300 feet, "rooftop" signage will be calculated as below: Buildings 70-100 feet tall .75 x Building Width Buildings 101-200 feet tall 1.0 x Building Width Buildings 201-300 feet tall 1.5 x Building Width Buildings > 300 feet tall x Building Width	At this time, buildings taller than 300 feet have been included in the 201-300 foot tall category (in the proposed amendment attached to the Request to Advertise) with regard to calculation of additional sign area. (continued on next page)	NAIOP (letter to staff from 4/26/12)

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
We believe that for visibility purposes signage letters be allowed up to 9 feet in height for buildings 201 feet tall or higher, which would not increase the overall signage square footage allowed. (4/26/2012)	(continued from previous page) Based on a range of feedback on the height of the proposed sign band, the proposed amendment reflects a sign band of 6 feet for 80% of the sign and 9 feet for 20% of the sign. This would accommodate upper/lower case letters and fonts that vary in size, while maintaining the general size restrictions afforded by a 6-foot sign band.	NAIOP (letter to staff from 4/26/12)
The 9' sign band would be helpful, and may not result in a larger sign (consider how lower case letters would fit into a sign band) (3/6/12)		Public participant at ZOCO meeting
The National Park Service can provide a boundary of the Monumental Core; appreciative of the range of options provided for signs facing the Monumental Core and GW Parkway, and encourage codifying the most restrictive option, but at a minimum, please consider a public process for permitting signs facing the GW Parkway and Monumental Core.(3/6/12)	Staff obtained the NPS boundaries for the monumental core and other important areas, identified by NPS as "Reserve," "Area I" and "Area II." These boundaries were used to help identify the areas where a sign would be defined to be facing Federal lands. Several options are provided at this time in order to hear a full range of feedback on this issue	Public participant at ZOCO meeting
Signs should not face the monumental Core, GW Parkway or Arlington Cemetery		
No signs should face the memorial core. At a minimum maintain a public process for reviewing such signs. (5/2/2012)		
No lighted signs above 40 feet should face federal lands or neighborhoods. (5/2/2102)		
Generally speaking, the view from Washington is acceptable, and while rooftop signs are 99% advertising, there is merit to the economic development aspect of such signs. However, such signs should not be allowed by-right.		
The ordinance needs to be clear about where on the building such signs can be placed (5/2/2012)	The proposed amendment has been modified to provide clear regulations to articulate where horizontally-oriented signs at the roofline may be placed (see 34.7.O.2)	Public participant at ZOCO meeting
Some questions about the "pink line" staff drafted to indicate where signs would be defined as facing federal lands. In particular, the northern edge of Crystal City faces I-395. Distance should also be considered when drafting these lines.	A range of options is provided for review at this time. The extent the line can be further considered and refined if appropriate.	Public participant at ZOCO meeting
34.8 Signs for Institutional Uses		
What happens when there are two or more churches using the same building? (would be useful if County Board could modify)	The draft has been modified to allow up to two freestanding signs within the total 30 sf area, to be consistent with current regulations. Should there be multiple congregations using the same building, they could all be listed on one sign, could each have their own smaller sign, or other permitted signs could identify other congregations.	Citizen Focus Group
Some suggested institutional signs should be permitted to have more than one identification sign; others disagreed		September Public Forum
Uses in residential neighborhoods may need to turn off sign lighting at night (8/22/2011 summary)	A lighting study has been conducted, and as a result of the lighting study, reduced illumination	EDC/RTF

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
When we bought our home church across the street had a very discreet and tasteful externally lit sign. Later, that sign and other exterior lighting features were upgraded to much brighter lights. The sign itself was replaced with an internally lit sign which glows until late at night in all of our windows. This kind of "upgrade" should not be allowed, especially not in any residential area! It would be good for the new regulations to prevent this sort of thing (initial outreach comment)	standards are proposed for uses in residential neighborhoods.	Citizen
Temporary banners are not always associated with a particular date – make sure to tie in time permitted in other ways (8/22/2011 summary)	Staff concurs. Temporary sign provisions include timeframes associated with events or maximum timeframes for those signs not associated with events.	Sign Industry
Churches should be allowed lawn signs on their own property.	The proposed draft would allow noncommercial temporary signs for institutional uses, and does not preclude the use of lawn signs so long as they meet the definition of a temporary freestanding sign and meet the size requirements.	September Public Forum
I applaud the work to revise Arlington's signage ordinance. The decades long ordinance is unfriendly to businesses that make Arlington a destination and poses major problems for non-profits such as churches. I am hopeful that the final revised ordinance will allow churches more flexibility in signage on their own properties, including the use of A-frame signs to announce special events. (1/12/12)	The draft regulations would allow institutional uses (which include churches), the option to have signs permitted in the zoning district in which they are located, or sign types specifically permitted for institutional uses, which include temporary signs of up to a maximum of 7 sf on their property.	Citizen
Banners advertising community events have been confiscated	Institutional uses would be permitted to have temporary banners with noncommercial messages if they choose to use the institutional sign provisions; such signs could be used to publicize events occurring on the property	October Public Forum
Scoreboards in parks need exemptions from frequency of change in copy.	The draft includes specific provisions for scoreboards at athletic fields at schools and public parks.	Public participant at ZOCO meeting
Temporary Signs. Allow temporary signs and banners such as a Blood Drive banner.	Temporary signs are specifically allowed in specific districts and/or for specific uses. See 34.8 for banners permitted for institutional uses.	Civic Federation delegate (mtg of 11/1/11)
34.9 Signs in public right-of-way		
Where do logos on things like trash cans and utilities fit?	At this time, staff has not proposed allowing signs on street furniture. Should such signs be desired in the future, the ordinance could be amended to accommodate them.	BIDs/ Partnerships

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Street banners—more flexibility should be granted so that BIDs can continue their street banner programs; BID banners in the ROW—process should remain the same. These are seen as “sense of place” banners	Staff concurs. The proposed ordinance would not make any changes to regulations for banner systems in the public right-of-way. The County Board would retain the authority to authorize the Manager to place such banner systems.	BIDs/ Partnerships
Confused by 34.9.b—what are special revitalization areas? Why allow banners there? Create a special map to illustrate these areas and update as necessary	This reference has been updated to more accurately reflect the areas in which banners are intended to be allowed, incorporating those areas where sector, area or revitalization plans have been adopted.	Public Forum (Oct 19)
We already have enough folks on phones, etc. not paying full attention to driving & we don't need more clutter to distract.	Proposed requirements for signs in the ROW are similar in placement and number to current provisions, however, the intent is to provide content-neutral regulations. The proposed amendment would limit commercial signs in these areas to temporary directional signs for activities lawfully occurring in residential zoning districts, and would continue to allow such signs only on weekends.	Citizen
Please do not extend time real estate signs may be placed in medians.		Citizen
Real estate agents want all signs to be temporary—want to have signs on weekdays to help advertise the houses for sale and to have them out on the market for less time—difficult to sell to people when people don't know that the houses are for sale		Public Forum (Oct 19)
Only real estate signs should be allowed in the public right of way. If everyone can put a sign up, it creates lots of clutter; prefer no signs in the public ROW		Public Forum (Oct 19)
Real estate signs need to be farther than ½ mile from a house for sale, otherwise nobody will come; perhaps regulate by number of intersections	½ mile from the location of commercial activity is a reasonable distance.	Public Forum (Oct 19)
I was just out by Tyson's Corner, on Route 123, where the median strips are COVERED with political signs. Not just two per median, but one sign every 18" or so. Makes me wonder what Arlington will look like if we allow anyone to put signs on the public ROW, for any purpose.	Staff is not proposing to change the number political (noncommercial) signs permitted. The proposed amendment would continue to allow only two per candidate or ticket per median strip.	ZOCO member
Non-commercial messages on signs in the ROW could cause sign proliferation because political speech is not restricted to politics/elections	The amendment would, however, also alternatively allow noncommercial signs for 7 days at a time.	Public Forum (Oct 19)
There is a discrepancy with the term right-of-way – some of the land in the County is State ROW, and other land is County ROW (9/27)	The County does not regulate state ROW.	Citizen
I would encourage you to amend the ordinance to allow signs not only for primaries, but also for caucuses held by duly constituted political parties (1/25/12)	“Seven-day” signs would accommodate caucuses. Such signs would be allowed to include noncommercial messages, and could be displayed for up to 7 consecutive days.	Citizen

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>4. Public Easement Areas The revision should seek to reduce restrictions on reasonable signage in the utility strip in between the sidewalk and curb in low-density (especially residential) areas. Rules for the placement of signs in the area should be drawn, to the extent feasible, with respect to the physical conditions rather than harder-to-discern underlying property rights.</p> <ul style="list-style-type: none"> o Agree: 26 o Disagree: 9 o Can't Decide At This Time: 19 	<p>In residential areas (see 34.5 and 34.6), regulations apply to private property regardless of its location. The public right-of-way is regulated through provisions in 34.9.</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>
<p>The Sign Ordinance should include information about how easements affect the property owner's right to display both commercial and non-commercial signs.</p> <ul style="list-style-type: none"> o Agree: 50 o Disagree: 2 o Can't Decide At This Time: 0 	<p>This type of information is not codified in the Zoning Ordinance as a regulation.</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>
<p>5. Signage in the Public Right-of-Way Expand exceptions to include temporary signs for the above-mentioned types of events during a reasonable period related to the event.</p> <ul style="list-style-type: none"> o Agree: 56 o Disagree: 1 o Can't Decide At This Time: 3 	<p>Signs placed by private parties would be allowed as follows – under ONE of the following options.</p> <p>See 34.C.4. Directional commercial signs allow signs between Friday sundown and Sunday sundown for commercial uses lawfully occurring in R, RA14-26, RA8-18, RA7-16, RA6-15 districts. Examples include open houses, apts for lease, yard sale, bake sale, etc. Noncommercial signs would also be permitted under this provision, but only if not used under the following two provisions.</p> <p>See 34.9.C.5(a) Political signs allow noncommercial signs for 31 consecutive days prior to an election called by a duly constituted government. This does not include caucus elections.</p> <p>See 34.9. C.5(b). 7-day signs allow noncommercial messages on signs in the public ROW for 7 consecutive days at a time. Examples include messages such as "civic association meeting" "spaghetti dinner" "lost cat" "vote for Joe". Candidate signs for political party caucus participants could also be displayed as 7-day signs.</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>6. Political Signs Enable signs on public or private property related to a political event occurring at that property.</p> <ul style="list-style-type: none"> o Agree: 40 o Disagree: 4 o Can't Decide At This Time: 15 	<p>34.5.E and 34.8.D. allow an unlimited number of temporary signs with noncommercial messages on private property (limited in size).</p> <p>34.6.L. allows an unlimited number of noncommercial messages in windows of residential dwelling units (limited in size).</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>
<p>Clarify when and where issue-oriented signs are permitted on public and private property.</p> <ul style="list-style-type: none"> o Agree: 59 o Disagree: 1 o Can't Decide At This Time: 3 	<p>See 34.5.E and 34.6.L for private property (a similar provision should be included in 34.7); and See 34.9.C. 4 & 5 for public property (see comment for item #5 for descriptions)</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>
<p>34.9 Signs in public right-of-way (Civic Association Signs)</p>		
<p>Most civic associations don't have a building and an upcoming event may be in the public right-of-way (i.e. a block party) and require a special event permit. Include a banner permit with the special event application so the banner can be reviewed along with the special event permit</p>	<p>The proposed regulations include a provision to allow a banner across the ROW in designated locations for events permitted through a special event permit (see 34.9.A.6)</p>	<p>Public Forum (Oct 19)</p>
<p>A "missing dog" or "garage sale" sign would be illegal under the current and proposed ordinance. Such signs should be allowed with a date on the bottom of the flyer so it is known when it was posted</p>	<p>Temporary signs are allowed on private lots in R-districts without permits, and could be used to publicize an upcoming civic association meeting.</p>	<p>Citizen Focus Group</p>
<p>Where do personal yard sale signs fit into this.</p>	<p>As drafted, the regulations would allow institutional uses (which include churches and schools) to have temporary signs up to 7 sf in area.</p>	<p>Public Forum (Oct 19)</p>
<p>Civic associations want an opportunity to have legal signs or a reasonable size to publicize meetings. Arlington should look to other communities for how such signs are addressed.</p>	<p>Such signs may also be used to publicize events occurring at the institution.</p>	<p>Public Forum (Oct 19)</p>
<p>Can information about civic events be included on neighborhood identification signs?</p>	<p>Additionally, the proposed amendment would allow temporary signs in the public right-of-way as follows:</p>	<p>Public Forum (Oct 19)</p>
<p>Civic associations should be allowed to have signs that advertise their meetings</p>	<p>1) Directional commercial temporary signs on weekends for activities lawfully occurring in residential zoning districts (1.5 sf). Examples of these signs include "yard sale" "bake sale" "house for sale."</p>	<p>Citizen Focus Group</p>
<p>Please waive permits for temporary signs placed by community groups/churches for events benefitting Arlington neighborhoods - sandwich boards or other similarly sized signs in very residential areas. This is important to community organizations that have negligible budgets and staff. They cannot afford to allocate financial and volunteer resources to obtaining signage permits to advertise meetings.</p>	<p>(continued on next page)</p>	<p>Civic Association member</p>

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>Civic associations have specific requirements from the county; they are not like other organizations; they are the interface between citizens and County and need recognition as such. At the same time, it is a slippery slope to allow signs posted by certain private entities and not others (even if they're non-profit or county 'sanctioned')</p>	<p>(continued from previous page)</p>	<p>Public Forum (Oct 19)</p>
<p>Arlington County strongly supports/encourages active civic associations, which rely on involved members for successful events. Associations need effective communication for upcoming events. Meetings are on weekdays, Saturdays, or Friday evenings. We would like to have signs in place 3-5 days before an event. Our signs are 2' X 2' plastic. As proposed, Type 1 signs have a real estate focus and wouldn't be adequate for civic associations; Type 2 signs are allowed 31 days before an election. Could Type 2 signs be revised to 2 categories: a) elections and b) other signage with more restrictive time limits, e.g. 7 days before and 2 days after an event.</p> <p>Possible language to recognize the importance of allowing signs for civic associations: "Temporary signs can be placed by civic associations which are recognized by the County or are members of the Arlington County Civic Federation to announce their activities and events if they meet the following criteria: a) Signs announcing recurring meetings shall not exceed a height of 3 feet or a maximum area of 6 square feet. Such signs shall not be placed prior to 4 days before a meeting and shall be removed within one day after the meeting. b) Signs announcing special events, which occur no more frequently than semi-annually, shall not exceed a height of 4 feet or a maximum area of 12 square feet. Such signs shall not be placed prior to 10 days before an event and shall be removed within one day after the event."</p>	<p>2) Noncommercial signs a. either 31 days before a duly constituted government election (4.5 sf). Examples include signs for candidates running in a county-wide County Board election; state government elections; federal government elections. b. A daily sign allowed up to a maximum of 7 days at a time (4.5 sf). Examples include "vote for Joe" "civic association meeting" "lost cat" "spaghetti dinner"; signs for candidates running in caucus elections.</p> <p>3) Noncommercial signs attached to existing neighborhood signs placed for up to 30 days at a time (6" x 30"). Examples include "vote for Joe" "civic association meeting" "lost cat" "spaghetti dinner"</p>	<p>Civic Association member</p>
<p>Concerns about civic associations being able to place signs for their activities (1/5/12)</p>		
<p>34.9 Signs in public right-of-way (enforcement)</p>		
<p>Citizens should be able to remove illegal signs</p>	<p>Staff has not recommended citizen enforcement at this time.</p>	<p>Citizen Forum (Oct 27)</p>
<p>The ordinance should define who can take down illegal signs in the ROW, and should allow the public to remove signs</p>		<p>Public Forum (Oct 19)</p>

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Concerns that enforcement is not currently done well. If the revised regulations are adopted, will enforcement improve? What happens during non-business hours? On weekends?	Zoning inspectors currently spend one day per week focusing on enforcement of signs within their assigned geographic areas. All areas of the County are covered by zoning inspector assignments. This practice is anticipated to continue and has recently included a short term focus on sidewalk signs, following the recent amendment allowing sidewalk signs.	Public Forum (Oct 19)
I recommend that the County do more to enforce existing rules; there are too many signs in Arlington. Prohibit Real Estate signs to be placed no more than a block away from property.		Citizen
\$5000 in fines is cheap advertising for a business. Are the timeframes for enforcement in the ordinance? Can the county accelerate the timeframe for enforcement?	The time frames and fine amounts for enforcement come from VA Code. Repeated violations may lead to criminal sanctions.	Public Forum (Oct 19)
34.10 Standards for lighted signs		
It is important to measure the difference between lighted signs versus ambient light from other sources. (12/6/2011)	The proposed illumination levels would apply only to signs, not to ambient light conditions. The luminance standards in the ordinance measure light from the surface of the sign, rather than illuminance, which would include light trespass.	
What is a nit? Is a nit the most appropriate measure of sign brightness?	Nits measure the brightness of the sign at the sign's surface. Refined standards in the ordinance use candelas/m ² , as recommended by a lighting consultant. 1 nit=1candela/m ² .	Chamber of Commerce
Rheostat may not be the best technology	The draft has been revised to reflect the generic term "dimming controller."	Chamber of Commerce
The 10 PM time may be too early—perhaps midnight instead?	Restrictions on hours of lighted signs apply only to those signs placed at the roofline.	Chamber of Commerce
Why require a hotel sign to be turned off at 10 PM? (hotels, hospitals, etc. should be exempted from time restrictions)	Standards have been incorporated that would require all signs above a height of 40 feet to be turned off at midnight, however, hours of illumination may be modified by the County Board under Public Draft 3.	BIDs/ Partnerships Chamber of Commerce
Is there a safety issue with turning sign lighting off at close of business rather than when it gets dark (in winter it gets dark early)	Staff has not proposed illumination time limits for most signs.	Brokers/ Property Managers
Please review 34.10.B(b), which seems to preclude inclusion of architectural lighting on the same side of a building with a lighted sign	Standards for when lighting is/is not regulated as a sign have been moved to subsection 34.2. Architectural lighting that meets standards in the ordinance would not be subject to sign regulations, and would be permitted through special exception approval by the County Board.	BIDs/ Partnerships
Who is responsible for turning down the sign illumination level?	The proposed ordinance would require automatic level controls for automatic changeable copy signs.	Brokers/ Property Managers
Would the new ordinance prevent neon sign?	No, the proposed draft would not preclude use of neon.	Citizen Focus Group

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Comment	Response	Participant
<p>More information is needed on brightness levels. It is premature to incorporate lighting standards for signs when there are no general lighting standards in the zoning ordinance. Issues that need to be considered include:</p> <ul style="list-style-type: none"> • Contrast issues • Spectrum • Light pollution • Spillage <p>In developing standards, the County needs to utilize illumination engineers and consultants; and they should also be knowledgeable about dark skies standards.</p>	<p>The County contracted with a lighting consultant in order to further explore all of these issues and provide lighting expertise.</p> <p>A study was conducted to provide real Arlington examples of various lighting levels. The study may be found at: http://www.arlingtonva.us/departments/Commissions/plancom/2012/file85877.pdf</p> <p>The proposed luminance standards have been refined for clarity and ease of use and to further simplify, in response to feedback received on initial proposals.</p>	
<p>Please provide examples of what proposed lighting standards look like.</p>		Public Forum (Oct 19)
<p>County has recently been through a painful process dealing with lighting issues. There is a concern that staff cannot provide more information about proposed lighting standards. The County needs to get the expertise to understand lighting issues.</p>		Public Forum (Oct 19)
<p>Sign lighting probably does not have the level of impact on residences that people think—street lights are much brighter than signs, and probably produce the majority of the light spilling into people’s homes; people expect lighted signs in urban areas</p>		BIDs/ Partnerships
<p>Proposed luminance limits are confusing. (4/18/2012)</p>		Participant at ZOCO meeting
<p>Dark skies should be considered</p>	<p>The contracted lighting consultant discussed preliminary recommendations with the International Dark Sky Association (IDA) in light of any pending studies underway. As result of these discussions with IDA, in conjunction with comments about the complexity of the preliminary standards, proposed standards were revised and simplified.</p>	Public Forum (Oct 19)
<p>The International Dark Sky Association is drafting a model sign ordinance this summer</p>		Participant at ZOCO meeting
<p>Does it make sense to have a sign reduce illumination level at night rather than turn off lighting completely?</p>	<p>The illumination study has been completed and initial recommendations have been revised multiple times in response to feedback received.</p>	Brokers/ Property Managers
<p>An illumination study may articulate better ways to regulate signs than simply turning them off at night; why the June/July deadline; more time is needed for discussion (3/6/12)</p>	<p>Only signs placed above a height of 40 feet include limitations on hours of illumination.</p>	Public participant at ZOCO meeting
<p>[Response to an element of a ZOCO discussion, not to a staff proposal] Businesses function 24 hours a day, and the ordinance should not require that all signs be turned off at night. (4/18/2012)</p>		Participant at ZOCO meeting

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Comment	Response	Participant
Would sign lighting be grandfathered? If a current sign is brighter than the ordinance allows, would an existing sign have to be dimmed? Why not make the revised ordinance retroactive?	The proposed amendment would require all signs to conform to lighting limits within 10 years. The 10-year time frame incorporates average times in which ballasts would require replacement at which time they could easily be replaced with those using a dimmer mechanism.	Public Forum (Oct 19)
The sign industry has model sign codes. Many jurisdictions are thinking about these issues. (4/18/2012)	While many jurisdictions have implemented luminance limits for automatic changeable copy signs, there is little precedence for implementing luminance limits for other signs within local ordinances. Arlington has worked with a lighting design engineering consultant in order to develop draft standards. The sign industry model sign codes were reviewed as part of the review to develop proposed standards.	Participant at ZOCO meeting
There is a maximum brightness at which signs will not be readable (4/18/2012)	Proposed maximum limits would preclude this scenario in most cases.	Participant at ZOCO meeting
Signs are getting brighter and brighter, so limits are needed for all signs (4/18/2012)	The draft incorporates maximum luminance standards.	Participant at ZOCO meeting
7. Lighted Signs The Sign Ordinance should include luminescence standards for lighted signs. <ul style="list-style-type: none"> o Agree: 61 o Disagree: 0 o Can't Decide At This Time: 0 		Civic Federation Straw votes from their meeting of 11/1/11
Backlighting of Signs. Backlighting should be included when considering luminescence standards.	Luminance standards in the proposed amendment would apply to all lighted signs.	Civic Federation delegate (mtg of 11/1/11)
Luminescence. Please consider color and other aspects of intensity for illuminated signs.	All factors were considered in the drafting of standards. Color would not be regulated.	
34.11 Flashing, moving and changeable copy signs		
Would a sign changing color be subject to the once per minute restriction?	It would depend on the size of the sign. Frequency of changes in copy/message of an automatic changeable copy sign is related to the size of the sign. The change in copy includes color.	Chamber of Commerce
Why not permit more frequently changing copy to accommodate signs such as the WJLA jumbotron, which is important for media organizations. Perhaps permit where there is a determination that traffic is not impacted. Some indicated that a large number of such signs would be distracting	This is a new sign type for the County. Staff does not recommend permitting scrolling signs and frequently changing copy/video at this time. Should that issue be reviewed again in the future, the ordinance could be amended.	BIDs/ Partnerships
WJLA sign is unique. If it will ever be replaced, structure of revised ordinance could be problematic. Theatre marquees like to scroll	The proposed amendment would consider signs previously approved by the County Board to be conforming signs, and therefore not subject to	Sign Industry

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Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Displays on gas pumps have some scrolling advertisements	limitations placed on nonconforming signs, except with respect to luminance level.	Sign Industry; September Public Forum; Citizen Focus Group
Electronic signs for gas stations are frequently replacing signs that have to be changed manually, and should be allowed and do not seem like they should be regulated the same way as changing copy signs such as scrolling copy that change on a frequent and/or constant basis. (initial outreach)	Automatic changeable copy signs would be limited to selected sign types and subject to the same size and frequency of copy regulations as other automatic changeable copy signs	Citizen
Daytime brightness is not generally an issue, but a limit is good	Staff concurs. A daytime and nighttime limit are both incorporated for automatic changeable copy signs, as such signs are different from other lighted signs in that they must be lighted to display anything at all.	Sign Industry
Changeable copy for specific types of business	The proposed ordinance limits changeable copy signs to specific zoning districts and specific sign types rather than to specific types of businesses	September Public Forum
Brightness and neighborhood compatibility should be taken into consideration	Luminance standards are proposed for all lighted signs, and include different levels for residential and public districts; service commercial districts; and all other zoning districts, with increasing levels of luminance, respectively.	September Public Forum
Pros and cons. Good: informative; bad : safety issue, distracting	Sec. 34.11 has lighting standards; and standards for frequency of changes in order to mitigate potential safety issues	September Public Forum
Standard should not be defined by one technology (LED) because technology changes quickly	Where specific technology is referenced, it is used as an example, not a requirement	September Public Forum
Automatic changeable copy signs represent an area where innovation will occur (12/6/2011)	This is a new sign type for the County. Initial provisions could be amended in the future as the County gains experience with this sign type.	Public participant at ZOCO mtg
Just returned from a sign show where new technology includes manual change in copy on outdoor directories that are sensitive to touch (interactive). As a new sign type, one change per minute will be distracting at first, but will become less distracting once there are more of these signs. (12/6/2011)		Public participant at ZOCO mtg
Directories and other interactive signs would be cool and the County should look into how they might be incorporated (12/6/2011)		Public participant at ZOCO mtg
For a multimodal county, signs would seem to simply make people drive slower rather than providing a distraction. Good example is 7 th St. in Washington DC where there is no demonstrated incident of accidents from distracting signs. (12/6/2011)	The proposed regulations are consistent with goals of this study and reflect good zoning practices, including safety. Special overlay districts, such as 7 th street in Washington DC provide for special regulations for specific areas. Such provisions could be drafted in the future should such areas be desired in Arlington.	Public participant at ZOCO mtg

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Sign Changes. Be aware that a neighborhood sign may be used to display different messages at different times. (This is not a reference to an electronic sign.)	There would be no prohibition on changing content of signs by manual means.	Civic Federation delegate (mtg of 11/1/11)
34.12 sign permits		
What is the relationship between the sign permitting process and the encroachment ordinance?	Staff has coordinated sign regulations to be compatible with a future encroachment or permits ordinance, however, full coordination of the two issues would not occur until an encroachment or permits ordinance is developed and adopted.	Brokers/Property Managers participant
The current sign approval process is lengthy and getting approval for temporary signs for more than one event in a particular location is frustrating (i.e. multiple window signs). Temporary signs can be useful while permanent signs are being manufactured; not being able to apply for signs until a Certificate of Occupancy is issued is also frustrating.	Temporary window signs would not require permits in the proposed amendment. Under current process, an application for a sign permit may be submitted after the application for a Certificate of Occupancy is submitted. The Certificate of Occupancy does not have to be issued before a sign application may be submitted.	Sign industry participant
34.13 comprehensive sign plans		
Why maintain the requirement? What's the point of a comprehensive sign plan if there are no opportunities for modifications? Could it be optional?	This subsection has been modified and no longer requires comprehensive sign plans. Under the proposed amendment, they would be optional; With a comprehensive sign plan, some additional sign types would be available and there would be additional flexibility in placement of some sign types.	Chamber of Commerce
It may be easier to not have a comprehensive sign plan because it may restrict flexibility because tenants are unknown.		Chamber of Commerce
What does a comprehensive sign plan include? What signs are required?	This subsection has been modified to reflect the following proposed requirements: <ul style="list-style-type: none"> ▪ Location of signs ▪ Sign materials and illumination ▪ Sign size All signs that require permits and that count toward total permitted sign area (aggregate sign area) would be included in the comprehensive sign plan.	Chamber of Commerce
How does the comprehensive sign plan process accommodate signs that need to be relocated or changed as the space is built out and tenants change?	Changes to comprehensive sign plan could be approved administratively and would have to be consistent with ordinance requirements.	Chamber of Commerce
Flexibility is very important, especially for leasing purposes, because frequently signage is a key issue for tenants		Brokers/Property Managers
When does a comprehensive sign plan have to be submitted? At time of site plan approval is too early in the process because it is difficult to anticipate future tenants' needs.	The draft regulations do not identify a time frame, other than indicating that where a comprehensive sign plan exists, permits will only be issued for signs shown on the plan	Chamber of Commerce

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Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
What happens to existing comprehensive sign plans when the new ordinance is adopted? What happens to the conditions of an existing comprehensive sign plan?	The nonconforming sign subsection (34.16) incorporates regulations for existing comprehensive sign plans as follows: An application may be submitted for an administrative change to convert to a comprehensive sign plan that conforms to all revised regulations in the ordinance. Otherwise: <ul style="list-style-type: none"> ▪ All signs on the property must conform with the existing plan ▪ The Zoning Administrator would be able to approve replacement of existing CSP signs with signs of not greater number or size that fully comply with the revised ordinance 	Brokers/ Property Managers
What happens if a new tenant needs a sign type or lighting type that is not in the existing comprehensive sign plan? Would an amendment be required?		Brokers/ Property Managers
How would condominium (business) buildings with different owners be affected?	This subsection has been revised to make comprehensive sign plans optional. If there is a comprehensive sign plan for the property, see above.	Brokers/ Property Managers
Comprehensive sign plans are helpful, and incentives provided in the draft, such as directory signs, are helpful to attract tenants. Allowing signs within a comprehensive sign plan to be allocated at the discretion of the landlord is useful.	Comprehensive sign plans would continue to exist, however, they would be optional and could be approved administratively.	Sign Industry participant
Private landlords also play a role in limiting signs, as they have higher control over tenants than does the County; Landlords can prevent signs clustered around a public entrance		Public Forum (Oct 19)
Commercial and residential property owners/managers play a role in regulating signs, as they may not permit tenants to have all the signs they request, and therefore it may not be necessary to have everything articulated explicitly in the ordinance (11/15/2011)		Public participant at ZOCO mtg
Signs should not be included with site plans. There is concern with the proposed ordinance that signs would “fly under the radar”	In the past, the County has required that a comprehensive sign plan be submitted with a site plan. The proposed draft would make all comprehensive sign plans administrative, and thus not coupled with site plan approval.	Public Forum (Oct 19)
Need clarification on by how much comprehensive sign plans would be able to deviate from requirements. (1/5/12)	Comprehensive sign plans would be required to meet the ordinance. They simply aggregate sign area over several establishments and/or buildings. Some defined allowances for the County Board to modify regulations are included. The mechanism for requesting approval of special exceptions consistent with allowed modifications would be through a comprehensive sign plan.	

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
34.14 Temporary signs for construction and sale/leasing		
34.14 Temporary signs for construction and sale/leasing (Temporary Construction Signs)		
<p>If I have a site under construction and has say 500 linear ft of frontage / fencing along public street, can I line the entire fence with images? Like 800 or 900 North Glebe.</p> <p>Section 34.14 says that only one sign face is allowed? Does that mean the rest of the construction fencing is supposed to be blank? Please tell me that is not the intent. In addition, 120 SF of text is very limiting. Additional sign area has been approved and has been well received [9/14/2011 Draft]</p>	<p>The intent of the ordinance is to allow signs on construction fencing to include images that are not counted as sign area, recognizing that screening of construction sites can improve the visual impact of a construction site. The proposed amendment would allow text and numbers the larger of 120 sf per street frontage or 20% of the area of the fencing on each street frontage.</p> <p>The intent is not to require blank faces on construction fencing, but rather to allow the applicant the flexibility to allocate the permitted sign on each street frontage.</p>	<p>Brokers/ Property Managers</p>
<p>What if there is more than one building? 120 SF isn't enough for two or more buildings. Could you calculate permitted area based on linear frontage? [9/14/2011 Draft]</p>	<p>The methodology for counting sign area for signs on construction fencing is proposed to be changed, as articulated above, while traditional freestanding signs for the same purpose would continue to be limited to 120 sf per main building on a lot</p>	<p>BIDs/ Partnerships; Public Forum participant (October 2011)</p>
<p>Construction signs:</p> <ul style="list-style-type: none"> • Include allowance for names, logos, leasing information • Allow only name/contact info of developer/builder – no other advertising • 120 sf is not enough for a project occupying an entire block • Area permitted should relate to linear frontage 		<p>Public Forum participants (April 2011)</p>
<p>I know that area stakeholders will be pleased to see the increased flexibility provided with temporary and construction signage. The construction fence signage and the full coverage of retail windows will help convey excitement of coming projects while screening construction sites and avoiding ugly brown paper windows [11/15/11 ZOCO review draft]</p>		<p>BIDs/ Partnerships</p>
<p>Construction signs create visual blight and size should not be increased (11/15/2011)</p>		<p>Public participants at ZOCO meeting</p>
<p>Graphics on construction fencing are beneficial (11/15/2011)</p>		
<p>Construction signs. Construction signs for projects now include far more information than the name and contact information of the developer/builder. This is inappropriate. Please regulate.</p>		<p>Civic Federation delegate (mtg of 11/1/11)</p>

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Comment	Response	Participant
Regarding construction fencing--that fencing must observe the vision obstruction setback at corners/intersections. If you look at the picture on page 40 of the draft the construction sign is right up to the stop sign at the corner. A car/bike/ped has to pull out into the intersection to see beyond it.	Sign regulations would not regulate height or placement of fencing. Vision clearance at corners, as well as fence location and height are regulated by other sections of the Zoning Ordinance (32.D.4 and 32.D.3.e, respectively). Staff has reviewed and updated all pictures in the proposed amendment to ensure that they are consistent with proposed regulations.	Citizen
The purposes proposed for this section apply to sale and leasing, not to construction (11/15/2011)	Purposes in the proposed amendment have been revised to eliminate references to sale and leasing.	
The provision allowing sale/leasing signs on ground floor windows may not adequately address businesses coming into a space that is already leased if the time frame is greater than one year following issuance of the shell and core permit (11/15/2011)	Window signs are allowed in all ground floor windows in commercial/mixed-use/industrial districts, without permits. Time limits on temporary window signs have been removed. Such signs may use up to 20% of the window area up to a maximum of 80 sf.	
Allow leasing signs above 35 feet	In order to balance concerns about leasing signs high on buildings, the draft would allow such signs meeting the standards in the ordinance to be placed anywhere on the building, except if they are within 200 feet and facing an R zoning district, in which case they must be placed below 40 feet in height.	
Leasing signs placed high up on a building are important, and regardless of technologies such as internet and GPS, leasing signs are still effective (11/15/2011)		
I wanted to reiterate the importance of keeping the ability for property owners to install rooftop temporary signage on their buildings during high or anticipated vacancies and during building renovations. We've had a few conversations with property owner representatives and they see these banners as key to the releasing of vacated spaces, especially in light of BRAC relocations. The current language does a good job of outlining this ability, but based on the conversation at the [11/15/2011] ZOCO meeting, it seemed important to ensure that this is a key tool in helping to release buildings.		
34.14 Temporary signs for construction and sale/leasing (Temporary sale and leasing signs)		
Vacant retail/office spaces should have similar provisions to construction sites in order to screen interior construction and advertise what is coming next to the space.	Staff concurs. The proposed amendment would allow vacant ground floor windows to be covered and only the text and numbers would count toward permitted sign area	Chamber of Commerce
Temporary signs should be easier, especially when only used for special events or to find creative ways to temporarily use empty retail/office space		Public Forum participants (April 2011)
Retail spaces may be vacant for more than 6 months, and would need signage for the entire time	The proposed amendment would remove the six month restriction for signs covering windows of vacant retail spaces. Such signs would be permitted when an applicant demonstrates that retail space is or will become vacant.	BIDs/ Partnerships; Brokers/ Property Managers

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Comment	Response	Participant
<ul style="list-style-type: none"> • Temporary signs for pre-leasing signs – area permitted should relate to the size of the building • 30 days or 6 mos. is not enough; 2-3 years is realistic; Consider use of an industry standard for how long it takes to lease a space 	Response on previous page	Public Forum (April 2011)
Small businesses could benefit from temporary signs while requested signs are being reviewed	The proposed amendment would permit temporary signs to cover up any approved permanent signs below a height of 40 feet so long as any temporary banner is affixed at all corners; as well as to have temporary signs while approved signs are pending.	Public Forum (April 2011)

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Comment	Response	Participant
34.15 General Provisions		
<p>By reviewing a few articles on recent court cases is that the County cannot regulate sign content. This leads to several concerns that with regard to rooftop signs, some of which are unique to Arlington, given its prominence in national and news and shared skyline with DC. Provided a rooftop sign complied with the technical requirements (location, size, luminance, orientation, tall of the non-content related regulations):</p> <ol style="list-style-type: none"> 1. Does this mean that non-commercial messages may be put anywhere that commercial messages are allowed? 2. Can building owners allow or sell sign rights to their buildings and thus allow messages that are unrelated to the building activities? 3. Could an organization such as the "Campaign to Defeat Obama", the "Committee to Defeat Romney" (real organizations), buy sign rights or establish a presence in a building and put a lighted rooftop sign up in Arlington? 4. Would organizations be able to put up rooftop signs with polarizing messages, such as "Climate Change Science is Wrong", "The Debt is No Big Deal" and worse (much worse)? 5. Will the county board have any discretion to override the sign ordinance once established? 6. Would the discretion for content in signs lie solely with the building owner? 7. Is the county's objective to establish an ordinance that leaves relatively little latitude for interpretation by the County Board, both to reduce the likelihood of a court challenge and to make the sign permitting process more straightforward? 8. Is there any data available on jurisdictions that have refused to allow rooftop signs and have suffered economic decline as a consequence? <p>I'm trying to understand what we may unleash with this ordinance, particularly in regard to high mounted signs which will be seen by and thus impact many people. With Arlington's national prominence, we cannot rely on our local sense of propriety to constrain commercial content or expression of free speech. It will be the national organizations, which often have a polarizing message, no stake in our communities, and seek national media exposure, that are my concern. If we truly lack any constraints on content, I would encourage us to consider a more conservative approach on sign location, especially given the tone of the national discussion these days. (5/1/2012)</p>	<p>Numbered responses below correspond with numbered questions in the "comment" column:</p> <ol style="list-style-type: none"> 1. Subsection 34.15.A. allows noncommercial messages to be displayed anywhere a commercial message is allowed. This provision also exists in the current ordinance. 2. Subsection 34.4.A. prohibits any sign which is not accessory or incidental to the approved lawful use of the property on which it is located. While non-commercial messages would be allowed on signs, commercial messages must be accessory or incidental to the approved use. 3. Yes (see 1 and 2 above). 4. Yes (see 1 and 2 above). 5. The County Board must follow the regulations in the ordinance. Where the ordinance specifically gives the County Board discretion, they may exercise within the standards identified. Should they wish to approve something different, they have the ability to amend the ordinance following the standard process to amend ordinances. 6. Yes, subject to 1 and 2 above. 7. One goal of this update is to codify existing practices with clear standards, such that regulations are not open to interpretation. Having said that, the role of the Zoning Administrator is to interpret the zoning ordinance because there will always be aspects open to differing interpretations. 8. Not specifically, of which staff is aware. 	<p>Citizen</p>

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Comment	Response	Participant
34.16 Nonconforming Signs		
What are the impacts of the proposed changes on historic sign maintenance and replacements	For any sign for which a Certificate of Appropriateness (CoA) is required, the HALRB could approve a sign that does not fully meet the provisions of the sign regulations in the Zoning Ordinance so long as all other guidelines for approval of a CoA are followed. Provisions are included in the draft in 34.16 and 34.18 (these provisions would ultimately be codified as part of Section 31A Historic Districts).	Chamber of Commerce
Are historic districts and historic signs included?		Chamber of Commerce
Provisions preclude maintenance of a nonconforming sign; subsection A conflicts with subsection C	This subsection has been significantly edited to remove conflicts. There would be limits to changes to nonconforming signs. Signs approved through comprehensive sign plans prior to adoption of a revised ordinance would not be treated as nonconforming signs, and could be repaired, maintained or replaced with another sign of the same size meeting provisions of the revised ordinance.	Public participant at ZOCO mtg
<p>Existing Non-Conforming Signs: We continue to be concerned about how nonconforming signs will be addressed and the ability of property owners to maintain these signs in the future. (4/26/2012)</p>	<p>While the draft ordinance would place limitations on nonconforming signs, it would explicitly treat all signs previously approved by the County Board through a comprehensive sign plan, as conforming signs.</p> <p>The draft ordinance would place the following limits on nonconforming signs. Nonconforming signs may not:</p> <ul style="list-style-type: none"> ▪ Be modified in ways that would prolong their life. ▪ Be repaired to replaced dilapidated or damaged parts. <p>Additionally, signs would be required to be in conformance with lighting limitations within 10 years.</p>	NAIOP (letter to staff from 4/26/12)
34.17 Definitions and Interpretation		
I reviewed the DRAFT looking for definitions of Public Right-of-Way and Public Property as requested by the Civic Federation. I did not see these. In a meeting several months ago, we discussed the use of various terminology with staff, and what it meant regarding what could be posted on bulletin boards in publicly-owned or leased buildings and County parks. I raised several examples: (1) Signs on school property. (2) Public Buildings.	“Public right-of-way” is used throughout the Zoning Ordinance, and a definition would be beyond the scope of the sign regulations update. In the proposed draft, (private) signs placed in the public right-of-way are restricted to commercial and noncommercial temporary signs (see subsection 34.9.C) which are specifically prohibited on school sites and other public lands other than those identified in the draft. Signs at schools would either be regulated under proposed subsection 34.8 Institutional signs, or under regulations for the zoning district in which the use is located.	Civic Federation member

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Comment	Response	Participant
How does the ordinance take company name length into consideration when calculating sign areas?	The provisions in the ordinance are intended to be content neutral and therefore do not provide size options based on length of company name. However, the concept of “aggregated sign area” provides flexibility to the applicant in how permitted area is divided among permitted sign types.	Unknown
“institutional use” needs to be defined (12/6/2011)	Staff concurs and has drafted a definition for this use. See 34.17.B.20 in Public Draft 3	Public participant at ZOCO mtg
<p>3. Provide Definitions Define the terms public land, public lands, public property, public right-of-way, and public easement area.</p> <ul style="list-style-type: none"> o Agree: 49 o Disagree: 0 o Can’t Decide At This Time: 2 	Such terms are used throughout the ordinance and defining would be beyond the scope of revisions to the sign regulations. Where such terms are used within the sign regulations, an attempt has been made to use terms consistently.	Civic Federation Straw votes from their meeting of 11/1/11
<p>Clarify treatment of government property that is not Arlington County property.</p> <ul style="list-style-type: none"> o Agree: 48 o Disagree: 2 o Can’t Decide At This Time: 1 	Arlington County does not have jurisdiction over Federal or State property and such property is not regulated by the Zoning Ordinance. A more general statement about government property would be beyond the scope of the sign regulations.	Civic Federation Straw votes from their meeting of 11/1/11
34.18 Miscellaneous Provisions		
Why does the County Board still have authority over lighting of rooflines.	Architectural lighting meeting defined standards would not be regulated as a sign. However, in order to regulate such lighting, staff proposes to maintain County Board authority in this area.	Public participant at ZOCO mtg
Other Comments		
“Temporary” should be defined in the ordinance	Staff concurs. “Temporary signs” is a defined term and specific temporary times include limitations as part of the standards under which the signs would be allowed.	Public Forum (Oct 19)
<p>10. Organization Reorganize the Sign Ordinance to make it easier for different kinds of users to access the information they need.</p> <ul style="list-style-type: none"> o Agree: 54 o Disagree: 0 o Can’t Decide At This Time: 5 	The proposed regulations are reorganized by Zoning District, and in some cases by use.	Civic Federation Straw votes from their meeting of 11/1/11
If the county cannot regulate content, how are some signs are specifically called out as way finding signs? (i.e. parking way finding signs)	The proposed draft references signs that meet Arlington way finding standards, but does not specifically call out specific signs as way finding signs. Way finding signs for parking were adopted by the County Board in December 2012 as part of an interim amendment that also allowed sidewalk and umbrella signs. However, in the proposed draft, such signs are incorporated as incidental signs with noncommercial content.	Public Forum (Oct 19)

ATTACHMENT E

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
Draft ordinance contains provisions that may be unenforceable (such as window signs needing to change after 30 days)	Window sign provisions have been modified to remove the distinction between temporary and permanent window signs.	BIDs/ Partnerships
Would the updated sign ordinance interfere with the AED way finding program?	No. The sign regulations are being drafted with consideration of County way finding standards.	BIDs/ Partnerships
As an initial question, I note that throughout the ordinance, heightened restrictions apply in or near R and RA zones, but not near residential dwellings occurring outside of those zones. Is there a rationale for protecting residents of apartment buildings situated in RA zones from excessive sign disturbances, but not residents of apartment dwellings in other zones? If so, what is the rationale?	One of the purposes of the ordinance is to help implement the County's Comprehensive Plan, specifically development consistent with the development and growth goals in the General Land Use Plan. Development and growth goals include promoting mixed-use development in Metro Station Areas with a balance among uses in order to achieve continuous activity in those areas. Also included in those goals is preservation and enhancement of existing single-family and apartment neighborhoods, and preservation and enhancement of neighborhood retail areas, among other goals. Therefore, one of the purposes of the sign ordinance is to permit signs in a manner consistent and compatible with those goals. Another purpose of the sign ordinance is to balance the needs of commercial areas with the desires and concerns of residents in the residential areas of the County. Consistent with land use policy, there is a different character within the County's mixed-use districts than in single-family and other primarily residential areas.	Citizen
I did a quick read of the ordinance and am disappointed staff did not consult with industry(s) during the draft stage. The other thing that struck me was Chris Zimmerman was asking the business community, paraphrasing here: ' how can we (Arlington) make the county business friendly', but many parts of the proposed ordinance are anti-business.	Staff worked with a consultant in drafting of the ordinance. The contracted consultant has worked on sign ordinances for and brings experience from a wide range of communities. Additionally, staff conducted four stages of outreach including focus group discussions with a range of local development, sign industry, and citizen groups prior to and during the drafting of the proposed ordinance, specifically to obtain ideas an feedback on proposed and potential revisions. The proposed amendment increases flexibility for sign types allowed, number signs allowed and placement of signs.	Small business owner

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>I applaud your team's efforts to refine the ordinance. Hopefully, once it is approved, county staff will follow the actual words in the document, instead of placing words that are not in it. There have been several instances where staff has denied a sign, where it is specifically written in black and white ink, that it is allowed. The common responses from staff are: " That's the way it's always been..." or " I receive too many calls when I allow (blank), so I'm just not going to allow it." Your team is doing WAY too much work to refine the ordinance to allow staff members to violate it. The purpose of the ordinance is to show people what we CAN do. Currently, the ordinance is being used to justify saying "no". Staff would be viewed much more favorably by economy driving businessmen if they used the ordinance to find a way to allow it rather than finding a way to kill it. I apologize for being so direct, but someone needs to point out the real issue. In the end, the ordinance is theory and the administration of it is reality. And the reality is that staff just simply is NOT following the written document. Therefore, approval of the ordinance is irrelevant if staff does not read the written words. Thanks again for your efforts to make business a little easier to do in Arlington County.</p>	<p>One goal of the revised draft is to make the ordinance easier to use and understand by citizens and businesses, and easier for staff to administer and enforce. The proposed draft codifies many current practices that are currently guided by policies. It also removes most legislative approval of signs in order to increase consistency in application of standards by codifying exactly what would be permitted.</p>	<p>Broker/ Property Manager participant</p>
<p>Having the author of the regulations removed from the process is problematic – it forecloses the opportunity to have a discussion on the issue and forces the public into a black and white scenario where the only option for sign approval is all administrative – additionally having only limited access to staff is problematic. Other options for the ordinance would include a sunset clause that would force regulations to expire in 5 years; incorporating a distances from residences for some signs. Current political sign provisions were adopted after a long community process (9/21)</p>	<p>Staff worked with a consultant in the drafting of this ordinance, however, the draft and all regulations codified in it are guided by staff.</p>	<p>Citizen</p>
<p>The focus of the discussion has been on where good signs have stopped, but there has been little focus on where the proposed ordinance includes signs never permitted before, especially with regard to lighted signs. (9/21)</p>	<p>These comments are in referenced to a ZOCO discussion on this topic</p>	<p>Public participant at ZOCO meeting</p>
<p>A concern was expressed regarding the focus on small details when there are big policy decisions to be made. (9/21)</p>		

Sign Regulations Update: Comments/responses on proposed sign regulations (updated 05/30/2012)

Comment	Response	Participant
<p>Concern about organization of the regulations.</p> <ul style="list-style-type: none"> ▪ Some areas are residential, but have industrial zoning. This could lead to commercial/industrial signs in areas that appear to be completely residential. ▪ Townhouses should be grouped with residential rather than mixed-use ▪ Many residential areas are not zoned R or RA (ex: C-TH). C-TH is meant to be a transitional district, but is not treated that way by the proposed regulations ▪ The regulations need transitional treatments, edge treatments, and more categories 	<ul style="list-style-type: none"> ▪ Areas that have industrial zoning are allowed to develop with industrial uses, even if they are surrounded by residential uses. The sign regulations would allow signs consistent with a property’s zoning. ▪ The draft has been edited to group town houses with signs allowed for multifamily residential development, regardless of the zoning district in which they are located. ▪ The C-TH district is transitional in height, but also associated with general commercial land uses on the General Land Use Plan. It allows for a mix of uses above ground floor retail, similar to other mixed-use districts. ▪ The draft lighting regulations include three levels for commercial/industrial/mixed-use; zoning districts associated with service commercial land uses; and residential/public districts, with decreasing illumination levels, respectively, in order to address transitions. 	<p>Public Forum (Oct 19)</p>
<p>8. Site Plan Exceptions The Sign Ordinance — or another section of the Zoning Ordinance — should require that exceptions have public notice before being approved via Site Plan.</p> <ul style="list-style-type: none"> ○ Agree: 60 ○ Disagree: 0 ○ Can’t Decide At This Time: 4 	<p>All special exceptions require public notice. This is not proposed to be codified in the sign regulations.</p>	<p>Civic Federation Straw votes from their meeting of 11/1/11</p>
<p>Site Plan Exceptions. It is inappropriate for Site Plans to be a vehicle for getting a type of sign specifically not allowed in the Sign Ordinance or by variance.</p>	<p>Most signs in the proposed ordinance would be approved administratively.</p>	<p>Civic Federation delegate (mtg of 11/1/11)</p>
<p>Categories of Signs. To commercial, non-commercial, and political, please add and address religious signs non-profit signs. (2 people)</p>	<p>“Religious” and “political” signs are noncommercial speech.</p>	

Sign Regulations Update: **ZOCO Comments**/staff responses on proposed regulations (updated 05/30/2012). Date included in parentheses indicates date of ZOCO meeting.

Comment	Response
34.1 Purpose	
A purposes of prohibiting most commercial signs in residential zoning districts conflicts with permitting commercial signs in the public ROW. On Line 35: “most” is a squishy term to use (9/27). Additionally, “commercial” can be a squishy term, as both “Hewlett Packard” and “Redskins” are commercial signs, but one may be perceived to be commercial and the other not (9/27/11)	The proposed ordinance does prohibit most signs in residential zoning districts, as compared to those permitted in other zoning districts.
In D., balancing way finding and commercial needs with residential concerns and desires seems to relate two things that are unrelated. Does single-family in this statement include townhouses? (9/27/11)	This purpose has been rephrased.
Delete “one-family” and reference just “residential areas” (4/4/12)	
Item I. should be listed first. Staff should rethink the order of the purposes. Why “minimize” rather than “eliminate wherever and whenever possible”? (9/27/11)	Purposes have been reordered such that the more basic purposes are listed first.
Add providing information to the public as a purpose (4/4/12)	This purpose is covered in 34.1.E (Public Draft 3) “To encourage the effective use of signs as a means of communication for businesses, organizations and individuals...”
34.2 Applicability	
Murals – why #5 – what is wrong with painting a coffee cup on a coffee shop? Why not allow murals in R-districts? (9/27)	The intent of this section is to include clear standards for when the sign regulations are not applicable. These standards do not preclude use of objects related to the business, but in those cases, the regulations in the sign ordinance would be applicable.
Gas pumps: 4” is too small (9/27)	Regulations for signs on gas pumps have been moved to subsection 34.7 in order to regulate an aggregate sign area for gas pump islands rather than regulating the size of lettering.
Menu boards: Wendy’s has a sign close to the sidewalk – would it be grandfathered. (9/27)	Existing signs would not be subject to regulations in the revised ordinance so long as they were legally approved and are not altered. Menu board signs have also been moved to subsection 34.7 where they will be regulated as freestanding signs.
34.2.C. Is there any prohibition on putting up MUTCD or way finding in the ROW, or can these signs be placed by anyone? 34.2.C.1 seems extraneous and troublesome because signs installed by the County are already permitted by 2. (9/27)	Staff concurs. This subparagraph has been deleted, as the same regulations are covered in subsection 34.9.

Sign Regulations Update: **ZOCO Comments**/staff responses on proposed regulations (updated 05/30/2012). Date included in parentheses indicates date of ZOCO meeting.

Comment	Response
34.3 Modifications	
<p>There was a discussion about whether or not there would be or should be an option to allow for requests to modifications of sign regulations under a limited set of circumstances and to what extend the ability to modify regulations is a trend in modern sign ordinances. It was suggested that Planning Commissioners may not be in the best position to define the “box” that articulates if/when modifications are permitted, but it would be helpful to have several options to which to respond. (9/27)</p>	<p>Staff concurs. The intent of the outreach process to review the proposed draft revisions to the sign regulations is to provide the opportunity for the public to comment on a broad level while the policies proposed are codified on a County-wide basis rather than on a site by site basis through individual sign proposals. This will ensure consistent application of standards that have been widely reviewed.</p>
<p>Allowing no modifications is a good strategy so long as the regulations are clearly articulated. This leads to predictability. The time to debate the issues is now while the regulations are being developed. Amending the ordinance should be difficult. (1/5/12)</p>	<p>Some defined allowances for County Board review of sign requests has been incorporated into the draft in order to accommodate unanticipated situations.</p>
<p>The current process allows opportunity for citizens, Civic Associations, developers and business owners to weigh in and have their voices heard on a policy level. (1/5/12)</p>	
<p>A different public process (such as that used for development of Form Based Code) would have to be used in order to develop by-right sign regulations so that citizens could have an opportunity to clearly comment and understand all issues (1/5/12)</p>	<p>The process to review the sign regulations has been designed to incorporate public feedback throughout. Four stages of outreach have included public meetings, ZOCO meetings and focus group discussions during each of the following stages 1) articulation of a vision for signs in Arlington; 2) review of regulations at the policy level; 3) review of a proposed draft ordinance and 4) review of a near-final draft. Public testimony will also be heard during four public hearings before the Planning Commission and County Board (RTA in June 2012 and final consideration in July 2012).</p>
<p>In order for the regulations to be clearly articulated they would have to be very restrictive (1/5/12)</p>	<p>Many sign regulations are already articulated in the existing ordinance; most of the new proposed regulations are based on current practice and long standing policy guidance. New sign types, including sidewalk signs, umbrella signs and automatic changeable copy signs have been carefully vetted through public outreach</p>
34.3 Modifications (the following comments are in response to the staff proposal to incorporate limited discretionary review by the County Board into the sign regulations)	
<p>One member suggested that an applicant should be able to request a modification of regulations for new technology not reflected in the ordinance, which would be turned into a proposed Zoning Ordinance amendment after the modification request is heard by the County Board. Others suggested that there are already many opportunities for applicants or citizens to suggest ideas to the County Board and a special process is not needed; that all Zoning Ordinances become out of date at some point and need updating, which can occur periodically. (3/6/12)</p>	<p>New technologies should be anticipated. However, staff recommends that new technology requests be addressed through a Zoning Ordinance amendment so they can be assessed on a County-wide basis. Staff concurs that there are opportunities built into the existing public process in Arlington for citizens and applicants to suggest ideas to the County Board.</p> <p>Allowing special exceptions for new technology would in many cases, allow the County Board to approve signs and sign characteristics that are specifically prohibited. Should the</p>

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Comment	Response
<p>The chair suggested that the Planning Commission may want to recommend an additional area for County Board discretion to accommodate creative or innovative designs.</p> <ul style="list-style-type: none"> ▪ The process described is a special exception process and should have a high bar to prevent everyone from asking; perhaps a civic association should express support before such a modification could go to the County Board ▪ Anyone could claim a new innovation; this would likely be used in ways not intended. Such a provision would result in the current practice of allowing any regulation to be modified. (5/2/2012) 	<p>(continued from previous page)</p> <p>County wish to accommodate prohibited signs or sign characteristics, they should be assessed on a County-wide basis rather than a case-by-case basis, in order to broadly review appropriateness and inputs.</p>
<p>Most members indicated that removing discretionary review creates predictability. A set of standards that does not allow such signs to face R, RA districts would be preferred; one member continued to support discretionary review of these signs, as it has worked to address community concerns in the past (5/2/2012)</p>	<p>One of the reasons staff has proposed an administrative process for review of signs is to increase predictability.</p>
<p>34.4 Prohibited signs</p>	
<p>Rather than articulating prohibited signs, simply list those signs permitted. (12/6/2011)</p>	<p>The ordinance lists both permitted and prohibited signs. Many of the prohibited regulations include sign characteristics that might be incorporated into an otherwise permitted sign. A list of prohibited signs and sign characteristics makes the regulations more clear, provides emphasis and facilitates ease of use of the ordinance. Prohibited signs are typically included in sign ordinances.</p>
<p>Why reiterate signs already prohibited under other laws? (12/6/2011)</p>	
<p>It seems petty to prohibit balloons and wind socks; there could be an over proliferation of such signs if they are not prohibited; balloons should be allowed for noncommercial uses. (12/6/2011)</p>	<p>Such signs can be distracting as they move about in the wind. Staff concurs that there could be an over proliferation of such signs if not prohibited.</p>
<p>Allowing signs projected onto surfaces would be interesting – we want vibrant and fun, but be advised that people live here too. (12/6/2011)</p>	<p>Staff is not recommending signs projected onto surfaces at this time.</p>
<p>Sign Regulation Groupings (subsections 34.5, 34.6 and 34.7)</p>	
<p>Explore the need for separate regulations for public districts as they may be more likely to be located adjacent to R-districts and other residential uses (11/15/2011)</p>	<p>Staff has reviewed regulations for public districts and continues to propose that public districts be included with the mixed-use sign regulations. In cases where a public district is</p>

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Comment	Response
<p>Public districts: (1/18/12)</p> <ul style="list-style-type: none"> ▪ S-D properties are in residential areas, not commercial areas; public districts should not be lumped with commercial and mixed-use districts because they tend to be near neighborhoods and therefore need additional lighting restrictions. ▪ In R-C districts, buildings may not have ground floor retail. Does it belong in this subsection? ▪ Removing the burden on applicants for certain sign types will change the way the County looks. 	<p>developed in a form similar to a commercial, mixed-use or residential district, the 1 sf of sign are per foot of linear building frontage is appropriate and would afford maximum flexibility for the range of uses and programming that may occur in public districts. Additionally, many public uses utilize similar sign types as those in commercial districts, such as wall signs, awning signs, canopy signs, etc. In other cases, public uses could opt to use the institutional sign regulations.</p>
<p>One member suggested 75 sf would be enough sign area for public uses; another disagreed. (4/4/2012)</p>	<p>Public parks are an example of a use that is often in a public zoning district. Public parks would be classified as institutional uses, and could take advantage of the institutional sign regulations, which include specific regulations to apply to public park uses in order to accommodate the range of programming in park uses.</p>
<p>Public uses should be addressed separately. (4/4/2012)</p>	
<p>The issue about the grouping is not about amount of sign area, but about adjacencies. Lighting and sign needs for public uses are fundamentally different. Regulations should be crafted to specifically address their needs. (5/2/2012)</p>	<p>Illumination of signs is applied by Zoning district. Public uses in R, multifamily RA and S-3A districts would be subject to the lowest luminance limits. Public uses in other zoning districts would be allowed to be illuminated in accordance with luminance standards in those districts.</p>
<p>Explore the need for separate regulations for town houses and multifamily garden apartment/condominiums within commercial zoning districts. Concern was expressed about allowing commercial signs on residential uses (11/15/2011)</p>	<p>Staff concurs. Sign regulations for town houses have been moved to use the same regulations as those for garden apartments, regardless of the zoning district in which the town houses are located.</p>
<p>Explore the need for additional regulations for signs in proximity and/or facing R-districts (lighting, size of signs, temporary banners and other potential impacts); and for signs facing the monumental core/GW Parkway/Arlington Cemetery (lighting) (11/15/2011)</p>	<ul style="list-style-type: none"> ▪ Lighting standards include a lower standard for residential districts, and a middle standard for transitional districts (those zoning districts commonly associated with service-commercial designations on the General Land Use Plan) ▪ Temporary banner regulations for sale/leasing have been revised to preclude a banner from being placed above 35 feet if it is within 200 feet and facing an R zoning district. Temporary banners may not be lit. ▪ A range of options is presented for signs facing the monumental core/GW Parkway/Arlington Cemetery. ▪ Multiple options are presented for signs above a height of 40 feet and facing residential zoning districts.

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Comment	Response
34.7 Signs in commercial, industrial, mixed-use, public districts	
<p>Aggregate sign area: 1 sf of sign area per foot of building frontage is troubling. The recently approved Boeing building got a 548 sf sign because it has a lot of frontage. Perhaps there should be an upper limit on sign area per frontage or a restriction on buildings that have four frontages; more options for allocating sign area should be provided; but a change should not be made if the current allocation is working, simply based on something that might happen in the future (1/18/12)</p>	<p>1 sf of sign area per foot of linear building frontage is a common allocation and is the current standard used in Arlington. Staff proposed to maintain this allocation for signs placed below a height of 40 feet as it has been well-tested in Arlington and has continued to be appropriate.</p> <p>However, staff has proposed a revised allocation of sign area for signs placed above a height of 40 feet, that would be more proportional to the height and width of the façade on which the sign is placed. Because this additional sign area applies to up to a maximum of two signs, allocating sign area as a function of height and width is reasonable.</p>
<p>Canopy signs are not pedestrian-friendly (1/18/12)</p>	<p>Canopy signs are one sign type among which an applicant can choose.</p>
<p>Directory signs: is it possible to limit commercial messages to way finding purposes only? (1/18/12)</p>	<p>The proposed regulations would require that directory signs be designed such that they are not legible from more than 6-ft away. Since directory signs identify the businesses within a building/property, the signs could be seen as commercial signs, however, the regulations limit the physical size of the messages on the sign.</p>
<p>Flags: is 35 feet the right pole height in commercial areas? (1/18/12)</p>	<p>The proposed amendment has been modified to allow up to 40 feet for flag poles in commercial districts, based on research of existing flag poles.</p>
<p>Freestanding signs: (1/18/12)</p> <ul style="list-style-type: none"> ▪ (4(c)) – 50 feet is a more appropriate set back for a freestanding sign adjacent to a residential lot than 200 ft due to narrowness of the lots on which these signs are placed; ▪ A pole-mounted sign would not be appropriate next to residential 	<ul style="list-style-type: none"> ▪ Staff has retained the 200 foot distance, as it mitigates impacts of commercial lots adjacent to residential lots. The 200 foot setback only applies for corner lots which are allocated an additional sign. If the lot is so narrow that a 200 foot setback is not possible, then a second sign may not be appropriate. The 200-ft setback also mitigates the impacts of potential pole-mounted signs being placed adjacent to residential properties.
<p>Incidental signs: 5 feet may be a more appropriate height for freestanding signs; but 4 ft is current height and should be maintained; define placement standards for freestanding signs (1/18/12)</p>	<p>Staff continues to recommend the 4-ft current height in order to maintain consistency and conformance with existing signs.</p>
<p>Projecting signs: proportionality would be helpful here. On a bigger building, a bigger sign may be appropriate; based on review of pictures, a 20 sf projecting sign seems reasonable (1/18/12)</p>	<p>The proposal has been modified to reflect a maximum size of 20 sf for a projecting sign. There are many examples of signs of similar size used at the retail level, and staff concurs that 20 sf is a reasonable size. A provision to allow an applicant to “reallocate” sign area for one sign per building would provide an opportunity for the County Board to approve a larger projecting sign.</p>

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Comment	Response
<p>Wall signs: (1/18/12)</p> <ul style="list-style-type: none"> ▪ Without a comprehensive sign plan, 1st or 2nd story placement is reasonable ▪ Signs projecting above the roofline, even on short buildings is not desired 	<ul style="list-style-type: none"> ▪ Staff concurs. The proposed amendment would allow signs to be placed below a height of 40 feet with or without a comprehensive sign plan. ▪ In order to allow for some additional flexibility and creativity on lower buildings, staff continues to allow a sign to project above the roofline by a limited amount.
<p>Window signs: (1/18/12)</p> <ul style="list-style-type: none"> ▪ Allow lighting ▪ Permanent signs should be included in aggregate sign area ▪ Why are temporary and permanent signs addressed in the same regulation ▪ Measuring by total window opening area is reasonable (as opposed to measuring the pane of glass) 	<ul style="list-style-type: none"> ▪ Lighting: staff concurs and has modified the proposal to allow window signs to be lit. ▪ Consistent with existing practice, staff continues to recommend that windows signs not be included in aggregate sign area. ▪ Temporary and permanent window signs are addressed in the same regulation because temporary signs have been allowed consistently on a 30-day basis, and from a practical perspective, if the sign is allowed to be there all the time, it is less important whether the sign itself is permanent or temporary. ▪ Methodology for measurement of window signs has been clarified to be based upon the window opening.
<p>Some have expressed interest in allowing future jumbotrons, however, members suggested that it is reasonable to defer additional discussion and potential development of standards for Jumbotrons to a later date.(5/2/2012)</p>	<p>Staff concurs that this is something that would be better addressed in a future potential amendment. Should the County Board wish to allow additional jumbotrons in other areas in the future, this issue could be best addressed outside the scope of the current draft.</p>
34.7 Signs in commercial, industrial, mixed-use, public districts (signs at the roofline)	
<p>There was a discussion about whether or not signs at the roofline should be allowed at all. Several indicated that they like these signs, that they help make the skyline more interesting and provide for branding of buildings. Not all such signs are attractive. (1/5/12)</p>	<p>Staff has proposed to regulate signs at the roofline through codified standards, and multiple regulatory options are provided for review (OPTIONS A and B).</p> <p>OPTION A provides a map to regulate direction signs may face.</p>
<p>100 feet from an "R" district is not enough. Degree of illumination will play a role in developing the regulations as well. (1/5/12)</p>	<p>OPTION B provides a 200 foot distance and varying hours of illumination for signs facing residential districts, and facing residential uses within mixed-use districts.</p>
<p>Direction signs face is important. They should not face Arlington cemetery, residential neighborhoods, George Washington Parkway, monumental core. Facing I-66 is reasonable. (1/5/12)</p>	<p>A range of options is presented for signs facing the GW Parkway/monumental core/Arlington Cemetery (OPTIONS C-F).</p>
<p>There was a discussion of whether or not signs should be permitted above a height of 35 feet when facing the monumental core, etc., including the following: this flexibility should be retained; more flexibility is good, but with a public process and not administratively; can staff get a map of the monumental core to provide clarity for where such signs may be permitted; prohibitions on lighting should be codified and County Board discretion should be allowed. (3/6/12)</p>	

Sign Regulations Update: **ZOCO Comments**/staff responses on proposed regulations (updated 05/30/2012). Date included in parentheses indicates date of ZOCO meeting.

Comment	Response
There should be a way to identify what directions signs may face in each neighborhood. (1/5/12)	OPTION A includes a map to identify direction signs may face and is intended to preclude signs from facing residential zoning districts.
ZOCO members were generally supportive of allowing signs placed above a height of 40 feet, however, some expressed reservations about the feasibility of codifying by-right standards for such signs due to assessment of impact and lines of site. (3/20/12)	
More than 3 categories of building height are needed so an applicant cannot gain the system by adding building height in order to get larger signs. (3/6/12)	Three categories are reasonable, as the area allocation is also impacted by the width of the façade. There are many factors that determine the ultimate building height, including floor-to-floor heights and construction materials, as well as zoning district regulations and policy guidance found in adopted sector and small area plans.
<ul style="list-style-type: none"> ▪ One member suggested that all signs be allocated 1 sq of sign area per foot of frontage on the façade on which the sign is placed ▪ Others expressed support for a proportional approach proposed by staff, based upon height and width. (3/20/12) 	Staff continues to propose multiple categories in order to allow for additional area on taller buildings.
6 am is too early for signs to be lit. 10pm to 8 am would be more reasonable. (1/5/12)	The proposed amendment has been revised to allow signs above a height of 40 feet to be lit except between midnight and 8 am. Additional restrictions are incorporated into OPTIONS A-F for signs facing residential areas, residential uses and federal lands.
A sign band of 9' may be too large. 6' has worked in the past. (3/6/12)	Based on a range of feedback on this issue, the proposed amendment reflects a sign band of 6 feet for 80% of the sign and 9 feet for 20% of the sign. This would accommodate upper/lower case letters and fonts/symbols that vary in size, while maintaining the general size restrictions afforded by a 6-foot sign band.
Members expressed reservations about a proposed 9-ft sign band at the roofline; 9-feet would generate significantly larger signs than the County has now; it was suggested that a 6-ft sign band with some flexibility for a portion to be larger would be more appropriate. The allocated sign band height could be adjusted with the height of the building. (3/20/12)	
Additional sign area allocated to commercial buildings >70 feet in height should be restricted to above 40 feet in height. Some suggested limiting such signs to specific sign zones, others advocated for more flexibility. There was general support for a suggestion that the SPRC process for new buildings include identification of areas where signs may be placed, allowing review on a case-by-case basis. (3/20/12)	Staff has modified the draft to allow a maximum of 2 signs from the 1 sf of sign area per foot of linear frontage to be placed above a height of 40 feet.
Standard allocated sign area (1 sf of sign area per foot of linear building frontage) should be limited to the area below 40 feet in height. This provides predictability, especially important in a by-right process. (3/20/12)	Placement standards have been incorporated for horizontally oriented signs installed using sign area allocated to taller buildings, however, other restrictions have not been incorporated in order to allow for flexibility in design of other signs above a height of 40 feet, such as projecting signs or vertical signs.
Reservations were expressed about grandfathering signs on buildings when the tenant moves out (i.e. a sign should not be allowed to be refaced for a new tenant (3/20/12)	While staff continues to propose that signs be grandfathered, a provision has been drafted that would require all signs to be in compliance with luminance limits within 10 years.
34.8 Signs for Institutional Uses	
Define institutional use. (12/6/2011)	Staff concurs and has included a proposed definition.

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Comment	Response
Address “adjacencies” (i.e. where commercial meets residential). (12/6/2011)	Lighting requirements include lower luminance standards for signs in residential districts and a middle standard for signs in zoning districts typically associated with service commercial land uses.
Limit freestanding signs to monument signs rather than pole-mounted signs. (12/6/2011)	Freestanding signs for institutional uses are limited to a height of 5-ft (see 34.8.C). Height of freestanding signs is defined as a difference between the elevation of the finished grade below the sign and the uppermost extremity of the sign (see 34.17.A.3), so pole height would be limited.
The regulations should not allow things that have been consistently approved. (12/6/2011)	As part of the sign regulations update, staff has proposed regulations that are not in the current ordinance, in order to codify current practice. Staff looked to long standing administrative policy as well as to consistent County Board approvals for additional guidance in drafting proposed regulations.
Allow up to two signs and a total of 30 sf, as currently permitted; would 15 sf would be large enough to be useful? (12/6/2011)	Staff concurs. The 30 sf can be divided between two signs as appropriate for the subject property, consistent with current regulations.
Several members expressed concerns with the large permanent banner proposed. Would this would be an increase in sign area? (12/6/2011)	Banners allowed under this subsection would be temporary, allowed for up to 14 days at a time, and would require permits. Under current regulations, such a temporary sign could be permitted subject to approval by the County Board.
Maybe different signs should be permitted on arterial frontages. Probably this has had an impact on previous approvals. (12/6/2011)	The freestanding sign for institutional uses is permitted by the current ordinance and may be administratively approved by the Zoning Administrator. Only where such uses are non-residential districts is County Board approval currently required. Where such approval has been requested, signs approved have been consistent with those signs permitted in residential districts.
Need an inventory of all institutional uses and their signs. A minimum of 20 photographs would be useful. Especially those for which there are no comprehensive sign plans. (12/6/2011)	Staff has collected photos of many institutional uses’ signs for reference, as well as many other signs within the County.
Lyon park community center has three corner signs near 3 of 4 intersections near the park. These signs would not conform with the proposed standards. Perhaps number of freestanding signs could be related to the number of intersections. (4/4/2012)	Staff does not propose modifying this provision in order to accommodate existing nonconforming signs. Nonconforming signs could continue to exist under the revised ordinance so long as they were conforming when they were installed.
Signs for institutional uses should include hours of illumination (4/4/2012)	Luminance standards have been incorporated into the draft ordinance. A lower luminance standard would be applied to R and multifamily RA districts. Signs for institutional uses in other districts would be subject to luminance regulations for those zoning districts. Therefore special hours of illumination have not been incorporated into the institutional sign provisions.

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Comment	Response
34.9 Signs in public right-of-way	
Does it make a difference that the County owns the public right-of-way (9/27)	Yes. The County controls right-of-way that it owns and therefore can regulate signs in those areas, whereas the County cannot regulate in the State or Federal ROW.
Type I commercial signs should not be permitted as proposed. If the choice is all commercial signs or none at all, none should be permitted. However, there was a discussion about whether or not specific noncommercial “lost pet”, “yard sale” and civic association signs should be allowed. Civic association signs should be deemed government speech. (1/5/12)	<p>The proposed amendment would allow commercial and noncommercial temporary signs in the public right-of-way as follows:</p> <ol style="list-style-type: none"> 1) Directional commercial temporary signs on weekends for activities lawfully occurring in residential zoning districts (1.5 sf). Examples of these signs include “yard sale” “bake sale” “house for sale.” 2) Noncommercial signs <ol style="list-style-type: none"> a. either 31 days before a duly constituted government election (4.5 sf). Examples include signs for candidates running in a county-wide County Board election; state government elections; federal government elections. b. A daily sign allowed up to a maximum of 7 days at a time (4.5 sf). Examples include “vote for joe” “civic association meeting” “lost cat” “spaghetti dinner”; signs for candidates running in caucus elections. 3) Noncommercial signs attached to existing neighborhood signs placed for up to 30 days at a time (6” x 30”). Examples include “vote for joe” “civic association meeting” “lost cat” “spaghetti dinner” <p>Regulating such signs provides reasonable limits that balance allowing such signs with preventing an over proliferation of signs.</p>
Noncommercial signs create a warm environment in the neighborhood and should be allowed and not regulated. (3/28/12)	
Political signs should also accommodate caucuses (3/28/12; 5/2/2012)	
The chair summarized that members at the meeting were generally supportive of real estate signs, political signs and other noncommercial signs.	
Type II noncommercial signs should be permitted as proposed. (1/5/12)	The revised proposal does not change the current provisions for political signs. See 2)a. in the above response.
Many terms describing where temporary signs may be placed need to be defined. Traffic circles should not be excluded (1/5/12)	Staff does not propose to amend the locations where temporary signs may be placed in the public right-of-way at this time, however, the proposed amendment provides clarifying language regarding allowed locations for such signs. Traffic circles are typically landscaped, and therefore not proposed to be places where temporary signs are permitted. Landscaped beautification areas are currently areas where temporary signs are prohibited, and a definition is included in the draft amendment.
There was a discussion about whether or not signs should be allowed on utility poles and whether or not the County can regulate signs on utility poles at all. (1/5/12).	Utility poles are typically in the County’s right-of-way. Staff recommends continuing to prohibit signs on utility poles. If not prohibited, such signs could proliferate.

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Comment	Response
Signs should be allowed on utility poles (3/28/12)	Response on previous page.
Change the current prohibition on posting signs on telephone poles. Some streets have no medians, and it is simply easier to post a sign on a pole. Members suggested that the ordinance should be silent on allowing signs on telephone poles. (5/2/2012)	
Sign type for ROW signs may need to be defined	Staff concurs and has incorporated language to ensure that such signs are freestanding signs affixed to the ground.
1 sf is too small for signs attached to Neighborhood Conservation (NC) signs. One civic association has a sign larger than that. Signs affixed to NC signs should be allowed to be permanent (3/28/12)	This provision has been revised to reflect 6" x 30," which is consistent with guidance under which such signs have been allowed in the past. This modest sign would allow for announcement of a meeting or event without detracting from the primary purpose of the sign identifying the neighborhood.
Banner systems should be allowed everywhere, not just revitalization areas. A community member present commented that maintenance of banner systems can be high and is more reliable when they are sponsored by an organization (3/28/12)	This reference has been updated to more accurately reflect the areas in which banners are intended to be allowed, incorporating those areas where sectori, area or revitalization plans have been adopted.
34.10 Standards for lighted signs	
Hotel signs should be able to be lit 24 hrs/day. Backlit signs are inoffensive (9/27)	Restrictions on hours of lighted signs are only on signs placed near the roofline. Signs below a height of 40 feet do not have limitations on hours.
<ul style="list-style-type: none"> ▪ Viewing a sign from the diagonal might impact the perceived brightness. Thinner fonts and externally lit signs are less bright. ▪ Both internal and external lighting sources are acceptable. Some expressed a preference for external lighting. ▪ Please provide examples of signs meeting the proposed residential standard (4/18/2012) 	<ul style="list-style-type: none"> ▪ Proposed lighting standards are intended to apply to all signs regardless of design of the sign ▪ The draft regulations would allow both external and internal lighting sources, so long as luminance limits are not exceeded. ▪ The lighting study conducted by the lighting consultant provides examples of Arlington signs and identifies their luminance such that they may be compared to the proposed standard. The study may be found here: http://www.arlingtonva.us/departments/Commissions/planning/2012/file85877.pdf
<p><u>Shielding of lighting</u> (4/18/2012)</p> <ul style="list-style-type: none"> ▪ Some signs are uplit from below, which is acceptable if shielded, but the zoning text specifies "downward;" one suggestion that light bulbs should not be allowed to be visible from the public right-of-way. ▪ A member of the sign industry confirmed that the concept of shielded light is a technical term in the industry. 	The draft has been modified to allow signs to be uplit or downlit so long as the lighting is shielded.

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Comment	Response
<p><u>Hours of illumination</u>: There was a discussion of the proposed prohibition on lighting of sign above 40 feet between midnight and 8 am. Individual suggestions included not allowing this time frame to be modified by the County Board; providing clear standards for when the time frame may be modified; requiring signs to be turned off by 9:30 pm; explicitly requiring that signs not be lit during daylight hours for energy efficiency purposes; using the same requirement for signs below 40 feet (4/18/2012)</p>	<p>A midnight to 8 am prohibition on lighting of signs above a height of 40 feet is consistent with conditions associated with many County Board approved signs placed above a height of 40 feet. Consistent practice provides a reasonable standard to codify in the ordinance. There may, however, be instances where impacts may be mitigated, and therefore staff has incorporated a modification to allow alternative hours to be allowed in some situations, subject to County Board approval.</p>
<p>There was general support for time limits on lighting of signs. 10 pm or midnight are appropriate. However, hotel signs serve different purposes, as they are open 24 hours and their signs serve to provide way finding. It is reasonable to develop regulations that preclude signs from facing neighborhoods. (5/2/2012)</p>	<p>It would be atypical for a sign to be lighted during daylight hours and therefore a regulation that signs be turned off during daylight hours is not incorporated into the ordinance.</p> <p>Staff does not propose incorporating a limitation on the hours of signs below a height of 40 feet, as these signs help to activate retail corridors.</p>
<p><u>Direction signs face</u>: (4/18/2012) staff presented an alternative proposal for review that identified a line between commercial and residential districts, toward which signs above 40 feet would not be allowed to face. A previous proposal used hours and distance to define the direction signs would be allowed to face</p> <ul style="list-style-type: none"> ▪ Individual comments included a preference for OPTION A over OPTION B; “substantially blocked” would be difficult to administer; no signs should be allowed to face toward the line regardless of how far away they are from the line; signs above 40 feet should not be allowed by-right and therefore it is difficult to assess ▪ The County Board should become more restrictive in how it allows signs above 40 feet and staff should identify limited conditions under which they could be allowed 	<p>At this time, staff has incorporated a range of options regarding the direction signs face in order to gather a full range of feedback.</p>
<p><u>Signs facing the monumental core, GW Parkway, Arlington Cemetery</u> (4/18/2012)</p> <ul style="list-style-type: none"> ▪ Individual preferences included: no signs; no lighted signs; some signs with no lighting between 10 pm and 8 am; the same policy and time limits should apply to signs above and below 40 feet; no lighted signs, but provide allowances for businesses open 24 hours; providing exceptions for some businesses would single out specific businesses ▪ Some might argue that Arlington needs signs to be competitive, but good schools, low crime rates and good location and views should negate need to use signs to attract businesses 	

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Comment	Response
Mixed views were expressed regarding whether signs should be allowed to face the monumental core, George Washington Parkway and Arlington Cemetery. (3/20/12)	Response on previous page
“Blue line” approach proposed by staff is complicated. It would also create a value differential for different commercial properties based on proximity to residential districts (5/2/2012)	
There was general support for using 200 feet distance an objective measure. One member disagreed. (5/2/2012)	
There was general support among members for not allowing any lighted signs, or not allowing any signs at all above 40 feet in areas facing Federal lands. One member expressed support for allowing such signs, with a lighting time limit of 8 pm. (5/2/2012)	
There was general support around a 200 foot distance from residential for signs placed at a height greater than 40 feet. One member disagreed, reiterating support for not allowing any lighted signs above 40 feet to face neighborhoods (5/2/2012)	
<u>Grandfathering of existing signs</u> (4/18/2012) <ul style="list-style-type: none"> ▪ Once a tenant moves out of a building, a signs should not be allowed to be refaced; particularly for signs facing the monumental core. ▪ There is a precedent for no grandfathering with regard to height in Radnor Heights East. 	The proposed amendment would consider all County Board approved signs to be conforming signs.
<u>Illumination levels</u> (4/18/2012) <ul style="list-style-type: none"> ▪ All lighted signs should have rules about facing residential districts similar to the alternative proposal for signs above 40 feet. ▪ Proposed standards will not provide a “solution” for people who do not like signs; it may not be necessary to regulate luminance of signs below a height of 40 feet; we do not have a luminance standard now, but not sure we have a problem with signs below 40 feet. ▪ Require certification of luminance limits by the applicant 	<p>Proposed lighting standards have been revised multiple times in response to comments about complexity of the preliminary draft. Revised prooposed standards are designed to be easier to understand and use, and to incorporate a fixed luminance level based on zoning district.</p> <p>Fixed luminance levels would require pre- certification for signs above a height of 40 feet since it would be difficult to check once the sign is installed.</p>
Using ranges for distances and luminance is confusing. Applicants need to be able to understand the standards; since luminance is a fixed number for any given light, the standard should not include a range; a fixed luminance and distance of measurement should be implemented	
34.10 Standards for lighted signs (comments in response to staff proposals for lighted signs above a height of 40 feet)	
One member inquired as to why signs are turned off at night. (3/6/12)	Staff responded at the meeting that there are many reasons, including impact of the lighted sign and dark sky compliance. Others added environmental sustainability and green construction code

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Comment	Response
The County Board currently typically limits hours of illumination of “rooftop” signs; in the past hours of illumination may have been related to hours of business (3/6/12)	Staff concurs and continues to recommend that hours of illumination be limited to defined hours.
There should be restrictions on signs facing residential neighborhoods. One member suggested no sign should be visible from a residential neighborhood; others suggested visible is reasonable but distance should be identified such that the signs are not intrusive. The 200 feet identified by staff seems unreasonable, but members want to field check in order to comment further on appropriate distance. (3/20/12)	A sign lighting field survey/bus tour was conducted for ZOCO members and the general public on April 12, 2012. Approximately 30 ZOCO and community members attended.
In mixed-use areas, the same standard (signs turned off at 7 pm) should be used as for single-family neighborhoods. One member disagreed (3/20/12)	Staff proposes different standards due to the different character of residential versus mixed-use areas. The General Land Use Plan includes a goal that mixed-use corridors provide a balance of residential, shopping and employment areas in order to achieve continuous use and activity in these areas.
34.11 Flashing, moving and changeable copy signs (ZOCO Comments)	
Inconsistent language regarding changeable copy signs in 34.5.D and 34.6.D (9/21)	Staff concurs and has edited these subsections for consistency.
Be consistent with definition of changeable copy throughout tables in 34.5, 34.6 and 34.7 and in 34.11 (9/21)	
Line 401 is confusing in this context. Why define manual changeable copy signs if the term is not used in the ordinance? (9/21)	The draft is addressing manual changeable copy signs that already exist and does not want to preclude them. The term is defined to distinguish them from automatic changeable copy signs.
Line 421. Do not reference LED or any technology (9/21)	Where specific technology is referenced, it is used as an example and not as a requirement.
Are there any restrictions on placement of electronic changeable copy signs, i.e. facing residential, proximity to residential?	In this draft, there are no restrictions based on proximity to neighborhoods, however, sizes of signs with automatic changeable copy and frequency of change in copy are regulated. Staff continues to research specific lighting standards.
Line 429. Can the ordinance require that the sign <i>automatically</i> change brightness levels between the required 250/5,000 nits during day/night?	Yes. 34.11.5 requires that automatic level controls are installed
Line 438. 48 hours is too long for a malfunction to exist – please change to 24 hrs.	This provision has been revised to reflect a 24 hour time frame
Include additional restrictions adjacent to R districts. (12/6/2011)	Lighting standards reflect a lower luminance standard in and adjacent to R-districts
Why allow in residential areas at all? In some cities such signs provide vibrancy; One time per minute amounts to a slow flash. (12/6/2011)	Automatic changeable copy signs are commonly used for institutional uses. A lower luminance standard is included in and adjacent to R-districts.
Should think about what kind of place we want Arlington to be (12/6/2011)	Several public meetings were held at the beginning of the process to update the sign regulations, during which such issues were discussed. All comments from those meetings are posted on the sign regulations web page.

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Comment	Response
Question as to whether all lighted signs require permits? (12/6/2011)	Window signs may be lighted, but do not require permits. Wall, projecting, freestanding, awning and canopy signs require permits.
Are users asking for automatic changeable copy signs or is this a sign looking for a use. The chair asked a sign industry participant present to respond and she indicated that several clients had inquired. (12/6/2011)	Yes, there are applicants who have requested changeable copy signs.
34.12 sign permits	
Look generally at turnaround times for administration of the ordinance. For example, 30 days seems like too long to wait for an explanation of why a sign permit was rejected. Immediate feedback at the counter would be helpful to an applicant where possible. (9/27)	The 30 day requirement does not preclude immediate feedback at the zoning counter, however, the regulations provide a timeline requirement for staff when written comments are warranted.
34.13 comprehensive sign plans	
Clarify the expectation for who would be permitted to come in and obtain a permit under a comprehensive sign plan (i.e. applicant, property owner, etc.)(9/27)	The comprehensive sign plan regulations would require the applicant to identify signs and sign area allowed for each tenant so that it is clear what signs are permitted (see 34.13.C.2 in 1/17/2012 draft). Once the comprehensive sign plan is approved, anyone could apply for the sign permit.
For existing comprehensive sign plans, there should be set time limits within which nonconforming signs should be required to come into compliance with the ordinance. A discussion followed as to whether this might cause an undue burden to a small business. (9/27)	Under the proposed draft, the ordinance would limit changes to nonconforming signs, but would not require nonconforming signs to come into compliance with the revised ordinance.
A discussion of allocation of sign area in comprehensive sign plans. Sign area as based on linear frontage seems open to interpretation as linear frontage is an ambiguous term, but an illustration may be helpful. A concern was expressed that with no discretion, there would be few limits on a site with a large amount of linear frontage(9/27)	This allocation of sign area is consistent with the provisions of the current ordinance (allowed by-right) and current sign policy (allowed with legislative approval), and staff concludes that this has been a useful allocation. In order to clarify, building frontage has been defined in the proposed ordinance.
Definition of Comprehensive sign plan (A) does not match applicability section (B)	This subsection has been edited for clarity and unclear headings have been removed.
Line 518 "Applicant Determined" is an odd subsection heading.	
What is timing of submittal?	The proposed amendment indicates that sign permits for signs subject to a comprehensive sign plan will not be issued prior to approval of a comprehensive sign plan. No other time frame for submittal is proposed.
Do not repeat allocation of sign area provisions here – provide a reference to 34.7 where this regulation is first provided. Reserve this section for process regulations.	Comprehensive sign plans are also permitted for projects outside of mixed-use, et. al districts (see 34.7), where the 1 sf per foot of linear frontage is first described. It bears repeating here for projects outside of those districts.
What is the benefit to the County and the public of having Comprehensive Sign Plans?	Comprehensive sign plans will provide for more efficient administration of sign permits for multi-building/multi-tenant projects. With a comprehensive sign plan, some additional sign types would be available and there would be additional flexibility in placement of some sign types.

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Comment	Response
<p>The following words should be defined:</p> <ul style="list-style-type: none"> ○ development project (line 490) ○ outparcel (line 492) (1/18/12) 	<p>A proposed definition for “development parcel” is included. “Outparcel” has been removed from the proposed text.</p>
<p>Allocation of a sf per foot of sign area per foot of linear frontage:</p> <ul style="list-style-type: none"> ○ May result in too much sign area; it is not equitable that a building with frontage on all four sides gets more signs than one that does not (1/18/12) 	<p>One square foot of sign area per foot of linear frontage is an allocation that has been used in Arlington for years, and staff concludes that it is a reasonable allocation. It is also a standard allocation of sign area used in many jurisdictions.</p>
<p>Where a building has retail all around, the more signs may be needed; perhaps there could be a limit on size of individual signs in order to equalize treatment for buildings with more frontage? (1/18/12)</p>	<p>Some signs have maximum size limits (e.g. projecting signs, window signs, incidental signs), whereas others are limited by the size of the feature on which they are placed (awning signs, canopy signs), and some other signs have no size limitations (wall signs)</p>
34.14 Signs for construction and sale/leasing	
<p>Question as to why additional purposes are needed for construction signs. Concerns were expressed regarding purposes related to tax revenue and cost of media advertising (11/15/2011)</p>	<p>Additional purposes for constructions signs are intended to reflect the legislative intent for allowing significant amounts of additional sign area on construction sites. The purposes in this subsection have been reviewed and edited in response to this comment.</p>
<p>What regulates placement of freestanding signs for construction? (11/15/2011)</p>	<p>Such signs are required to be on the construction site and such location will be clarified in the draft regulations.</p>
<p>Many expressed disagreement that leasing banners should be allowed above a height of 35 feet, and suggested that placement of such signs can create visual blight. One member pointed out that they have frequently been permitted to be placed above 35 feet (11/15/2011)</p>	<p>This provision has been revised to preclude placement of a temporary banner above a height of 35 feet if it is within 200 feet and facing an R-district.</p>
<p>One member suggested that additional area be permitted on construction fencing for public service messages; other members expressed concerns about this idea. (11/15/2011)</p>	<p>The construction fencing sign area allocation has been significantly increased to allow up to 20% of the fencing to be used for a sign on each street frontage, with only letters and numbers counting against this sign area. A public service message could be accommodated within this 20% if the developer chose to use sign area in this manner.</p>
<p>Members expressed that they had no objections to graphics on construction fencing, and that such signs can help improve the aesthetics of a construction site; it was suggested that area of signs on construction fencing be calculated based upon height of the permitted fence. (11/15/2011)</p>	<p>Staff concurs. Proposed sign area for construction signs would allow up to 20% of the fencing.</p>
<p>Questions were raised about the provision to allow temporary leasing banners to be placed anywhere a permanent sign is approved, as it would encourage additional advertising. Concerns were also raised where signs at the roofline could be used for this purpose under the proposed amendment. (11/15/2011)</p>	<p>This provision has been revised to limit such temporary leasing banners to cover those signs that are identified as included in aggregate sign area, and placed below a height of 40 feet</p>

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Comment	Response
If a new tenant comes in, can they get a new sign of the same size in the same place if approved in an existing comprehensive sign plan? (e.g. if a tenant with an existing rooftop sign vacates, can the new tenant have a sign in the same location even if it does not conform with the revised ordinance?) (1/18/12)	Yes.
Paragraph 34.16.B (effect on signs on historic buildings) is confusing and should be rephrased (1/18/12)	This subsection has been edited for clarity.
Paragraph 34.16.D.1(c) seems to allow an applicant to mix and match signs from an approved comprehensive sign plan with a sign meeting the revised ordinance. This should not be permitted. The cost of bringing one sign into conformance should be that all signs must be brought into conformance. (1/18/12)	A comprehensive sign plan impacts an entire property which may include multiple tenants. As new sign regulations are proposed, the intent of this provision is provide flexibility for comprehensive sign plans approved by the County Board prior to adoption of a revised ordinance. Tenants may change frequently, and it would be onerous on individual businesses for all tenants to have to come into conformance with the change of one or two tenants. New signs for the new tenants would be required to be in compliance with the revised regulations.
34.15 General Provisions	
We should not allow substitution of message (e.g. allowing noncommercial messages wherever commercial messages are allowed).	Substitution of message is permitted in both the current and proposed ordinance, and the intent of this provisions is to be clear that noncommercial speech is not restricted on any permitted sign.
It is not clear what is intended by "abandonment".	The abandonment provisions refer to discontinuance of the use (signs are an accessory use). Once the use is discontinued for two years, the sign is considered to be abandoned. Thus, the sign could only be restored if it conforms to current regulations.
34.16 Nonconforming Signs	
Line 694. Do not like the term "reductions in nonconformity"	This subsection has been edited for clarity and this heading has been removed.
34.17 Definitions and Interpretation	
Please clarify language regarding 3-D signs	Staff concurs, and has edited for clarity.

Signs in the Right-of-Way

Evaluation of a Volunteer Sign Removal Program

Signs in the Right-of-Way and Volunteer Sign Removal

During the December 2011 discussion of temporary sidewalk signs, the County Board requested an evaluation of the pros and cons of using volunteers to identify zoning violations pertaining to these and other signs in the right-of-way. Several citizens have urged the Board and the County Manager to give greater priority to enforcement of sign regulations governing those placed in the right-of-way and to adopt a volunteer sign removal program, contending that citizens could more quickly respond to illegally-placed signs than inspectors can. The County's Sign Ordinance does not specifically prohibit residents from removing *illegal signs* from the public right-of-way and the Zoning Ordinance does not specifically address who can remove signs. However, the Zoning Ordinance does specifically provide for the Zoning Administrator to enforce the Zoning Ordinance (Section 36.A). The Zoning Administrator has not designated anyone else to enforce the Ordinance, other than certain County staff. While the concept of volunteers assisting in removal of illegal signs has some appeal, as is often the case, the question is more complicated than it may seem on first examination. On balance, neither the potential liability to the County nor the magnitude of the problem suggests that this is the best option to reduce the number of illegal signs in the right-of-way.

Each year, Zoning inspectors pull hundreds of signs from the public right-of-way (both County and State) as a part of their normal duties. Attachment 1 describes current sign removal practices, and existing County and State regulations pertaining to signs placed in the public right-of-way. Inspectors identify the signs through weekly canvassing of assigned inspection areas and in response to complaints from citizens and businesses, some of whom send photographs to staff via their "smart" phones and email. Signs advertising apartments and houses for lease or sale and announcing new projects, seem to be the most problematic violation and are placed both in medians and along the sidewalk. While these signs have a negative impact on the appearance of a commercial area or planted median, according to Zoning staff, these violations constitute only a small percentage of the complaints that are submitted annually for follow-up, and are typically resolved quickly. Inspectors provide the sign owner with information on the relevant sign provisions and this usually results in compliance. Since the 2011 adoption of provisions permitting temporary sidewalk signs, inspectors have been canvassing commercial areas on weekends, and identifying problem areas and businesses in violation. This effort is aiding compliance and seems to be reducing the time lag experienced by citizens between reporting a sign violation and correction by the owner.

While no one would disagree that the proliferation of illegal signs is both distracting and unsightly, there are several considerations that warrant discussion:

- Zoning Ordinance information: Determining the legality of signs in public rights-of-way requires detailed knowledge of the Zoning Ordinance; Zoning inspectors are trained in the sign regulations. Should there be any question about a sign or permissible sign placement inspectors can readily consult with the Zoning Administrator or the County Attorney's staff.

- Right-of-Way Line Location: The inspectors have access to the information needed to accurately determine right-of-way boundaries. They can determine which roads are County-maintained, State-maintained (Attachment 4), or private, and identify roads such as Washington Boulevard, which have segments under both State and County control. This is important since no signs are permitted to be placed in State right-of-way without a permit.¹
- Liability: Limiting sign removal to County inspectors helps manage the risk of injury and helps assure maximum safety in removing signs in and along heavily traveled roadways (Attachment 3). Inspectors have vests, tools and gloves to make them visible and less likely to be injured when removing signs. Their cars have additional lights and they can use orange cones when parking. Given that the County is self-insured, the potential liability issues associated with a volunteer sign removal program--volunteer injuries, third party injuries and property damage—must be considered. “Direct and continuous supervision” by the County throughout any sign removal effort would be essential and raises the question of whether supervision of volunteers is the best use of limited staff resources.
- Volunteer Management: A volunteer sign removal program could not be successful without a significant effort to recruit, train and manage volunteers on an ongoing basis. A volunteer program would require inspectors to work when volunteers are available, for the amount of time they are available, regardless of other work priorities. While volunteers may be available periodically, staff has more flexibility to respond to an issue when and where it arises, and to bring in additional staff if it goes beyond their assigned geographic area. As noted above, due to insurance requirements, a staff person would need to be allocated to supervise volunteers removing signs.
- Enforcement of Regulations: The goal of any enforcement program is to achieve and maintain compliance with regulations and to apply them in a consistent manner. Inspectors are expected to follow-up with, and cite, those who violate the regulations, and take them to court if necessary. Through the contacts made by the inspectors as they notify business owners, property managers and sign companies, they are educating them on the regulations that must be followed and on the penalties if they do not. While

¹ Per the Code of Virginia (§33.1-373), signs are not permitted within the limits of any highway, including the median, unless a permit is granted by the Virginia Department of Transportation or the sign is specifically allowed under State law. Violations are punishable by civil penalty. A local governing body may enter into an agreement with the Commonwealth Transportation Commissioner to act as an agent of the Commissioner for the purpose of enforcing sign prohibitions within VDOT right-of-way. A public hearing must be held before entering into the agreement. Arlington County has not entered into such agreement.

volunteers can remove an eyesore in their community, simply removing the problem doesn't have the same potential of achieving lasting compliance.

When the issue of a volunteer sign removal program last arose, staff reviewed volunteer programs in several other communities that include sign removal (Attachment 2). Loudoun County's experience is instructive. Loudoun County established a program under the direction of the Board of Supervisors in March 2009. The initial group of 44 volunteers removed thousands of illegal signs, many erected on behalf of production home builders. In less than three years, the Board withdrew their support for the program due to the number of complaints and issues that arose about incorrectly removed signs and related concerns, largely from businesses, churches, and civic and political organizations. The program was discontinued by action of the Board of Supervisors in January 2012. As of May 2012, none of the Northern Virginia jurisdictions coordinate a volunteer sign removal program.

Options Today

There is no dispute that illegal signs in the right-of-way are distracting and undermine the appearance of a community. Zoning Inspectors canvass commercial streets for illegal signs and follow-up with those in violation. In addition, here are several suggestions that could be pursued to raise awareness of regulations and promote compliance.

- Promote use of smartphone cameras to send pictures of possible violations. The picture should show both the sign and the location, thereby making it easier for an inspector to quickly locate a possible violation.
- Continue weekend inspections of commercial areas and where new projects are under construction and lease-up. Contact those in violation to apprise them of regulations and penalties for continued violations. Pursue compliance in the courts if necessary.
- Promote the VDOT Adopt-A-Highway and Adopt-A-Spot programs for those who are interested in focusing on a particular area.
- Launch an outreach/education effort about sign regulations to residential property managers, construction project managers, and real estate agents and brokers, including materials on the Zoning website.
- Launch an outreach/education effort to the general public about sign regulations, including materials on the Zoning website.

Attachment 1**Arlington Sign Removal Practices & Regulations**

CPHD inspectors remove illegal signs from the public right-of-way and other public property one day each week (not the same day each week) as part of their regular duties. It is important to note that inspectors remove signs from County as well as State and Federal right-of-way, a practice common for many years. In the last year, the inspectors removed an average of 332 signs per month, or a total of 3,983 signs). Signs advertising apartments for rent, houses for sale and new development projects constitute the largest percentage of signs removed. Inspectors respond to complaints about signs and make special efforts to pull signs that create a safety hazard, or obstruct traffic or sight distances. Violations relating to signs on public property or in the public right-of-way must be pursued as criminal penalties, per §15.2-2209 of the Code of Virginia.

Two relatively recent amendments to the Zoning Ordinance have altered how inspectors address signs in the right-of-way. The January 2011 amendment to Section 37.F Violations and Penalties, makes it unlawful for a “firm, corporation, owner, agent or occupant”, to violate any of the provisions in Section 37.G pertaining to violations that must be treated as criminal penalties, including signs in the public right-of-way. It clarifies that anyone who is responsible for causing or, with knowledge, permitting these violations can be held liable. Thus the inspectors can cite the business named on the illegal sign which has improved compliance and provided an additional tool for repeat offenders. The inspectors contact the business on the sign, provide a “courtesy” notice of the violation, and advise the business of County sign regulations. If the business violates the regulations again, they are given a Notice of Violation and sent a letter from the County Attorney’s Office detailing the seriousness of the violation and possible fine.

The second amendment was adopted in December 2011 and addresses three types of signs that previously had not been permitted: umbrella signs, temporary sidewalk signs (A-frames and sandwich boards) and parking signs. The sidewalk signs are limited to a height of 3.5 feet and seven square feet per side; the signs also have placement limitations designed to maintain clear sidewalk for pedestrians. Since this amendment was approved, the inspectors have been inspecting the major commercial streets on weekends and tracking complaints and violations. When business owners have violated these provisions, the inspectors worked with the businesses to educate them on the requirements. Thus far, no temporary sidewalk signs have been removed for repeat violations.

Removed signs relating to apartments and houses for sale or rent are taken to the Trade Center and recycled/disposed of at the facility there.

In addition to CPHD inspectors, inspectors and field staff from other departments (as well as contractors) remove or move signs in the right-of-way if they impede mowing, repairs or other maintenance activities.

Current Regulations Governing Signs in the Public Right-of-Way

The types of signs permitted on public property are largely those that provide information or directions. Signs may not be placed on County-owned or maintained property and right-of-way, unless otherwise permitted by the Zoning Ordinance.

The County's Sign Ordinance (Section 34 of the Zoning Ordinance) was amended in 2003 and again in 2005 to address issues pertaining to commercial, noncommercial and political signs on private and public property. The amendments provided greater flexibility for political signs on private property and modified some regulations for signs in the right-of-way. Specifically, the amendments:

- clarified where real estate directional signs could be placed in the public right-of-way;
- permitted two political signs per candidate or issue in medians (previously prohibited);
- allowed signs to be placed in the public right-of-way 31 days before an election and remain there continuously during this period;
- required removal within five days after the election.

With respect to real estate signs, the Zoning Ordinance amendments permitted real estate directional signs on public property from sundown on Friday to sundown on Sunday, plus holidays. No more than one sign per agency per intersection is permitted. *No changes were made to permit other types of business signs in the right-of-way until December 2011.*

The Zoning Ordinance specifically notes that signs "placed on public lands contrary to the provisions of this section are subject to immediate removal." (Section 34.D.5). The County's Sign Ordinance does not specifically prohibit residents from removing *illegal signs* from the public right-of-way and the Zoning Ordinance does not specifically address who can remove signs. However, the Zoning Ordinance does specifically provide for the Zoning Administrator to enforce the Zoning Ordinance (Section 36.A).

Virginia Department of Transportation Regulations

The Commonwealth of Virginia (§33.1-373 of the Code of Virginia) has separate regulations governing signs on State-owned or maintained right-of-way. (See List of State Roads, Attachment 4) Signs are not permitted within the limits of any highway, including the median, unless a permit is granted by the Virginia Department of Transportation (VDOT) or the sign is specifically allowed under State law. Political signs are not permitted in VDOT right-of-way, except on a limited basis in Fairfax County. Violations are punishable by \$100.00 civil penalty. Fines are returned to the State. We can, however, recover our costs for removal, obliteration or abatement of the signs. (We would cite \$100.00 plus costs.)

A local governing body may enter into an agreement with the Commonwealth Transportation Commissioner to act as an agent of the Commissioner for the purpose of enforcing State sign regulations within VDOT right-of-way. A public hearing must be held before entering into the agreement (§33.1-375.1 of the Code of Virginia). *Arlington County has not entered into such agreement.* A 2010 provision requires localities that enter into an agreement with the

Commissioner to allow sign owners to reclaim their sign(s) within five days if it were erroneously pulled by an employee or volunteer. As a practical matter, the County would need to hold all removed signs for five days unless we were absolutely certain they were properly removed from VDOT property or right-of-way. Verification of the VDOT property line relative to private property and County property would be necessary.

Attachment 2**Sign Removal Practices in Other Northern Virginia Communities**

Many communities remove signs from the public right-of-way as part of ongoing litter removal efforts. Others have instituted volunteer programs because they have little or no staff capacity or funding to remove litter or signs from their roads. (Many remove signs *only* in response to complaints or safety issues.) They are also covering hundreds of square miles of geography. The litter removal programs are administered out of various government agencies and separate community-based non-profit organizations such as Clean Fairfax. At the present time, none of the Northern Virginia communities consulted are using volunteers for sign removal although VDOT's litter removal and road maintenance programs, Adopt-a-Highway, and Adopt-A-Spot, are active in some of these communities.

Loudoun County

One does not have to venture very far into Loudoun County to see the real estate signs erected by production home builders at virtually every major intersection. In response to ongoing concerns about these and other signs in the public right-of-way, the Loudoun Board of Supervisors (BOS) entered into an agreement with the Commonwealth Transportation Board (CTB) in February 2009 so that they could remove illegal signs from the right-of-way. Staff was directed to develop a volunteer program on a limited pilot basis to supplement the staff effort of Monday and Friday sign removal, largely in response to complaints.

The Loudoun County pilot program modeled VDOT's Adopt-A-Highway Program. Staff recruited and trained 44 volunteers (many of whom had been removing signs from the right-of-way already) and commenced the pilot in March 2009. During the three-month pilot, over 8,000 signs were removed from the right-of-way, 92% by the volunteers and staff did special outreach to the business community to raise awareness of sign regulations. Realtors and churches raised concerns about the impact of sign removal on their ability to attract prospects. There were a few minor issues with volunteer management, and regulations pertaining to political signs, and in July 2009, by a vote of 4-3-2, the Board of Supervisors directed staff to continue the pilot volunteer collection program to remove signs from the right-of-way, with recruitment and training sessions as needed. The BOS directed that staff should remove signs on Fridays only.

Loudoun's volunteers worked without County staff supervision while removing signs from the right-of-way. The County provided some training and a safety vest, and the volunteers signed a hold harmless agreement in case they were injured while pulling the signs. The volunteers were brought back in to be apprised of Code updates such as the requirements of SB 64 (hold signs pulled from private property for five days). As the program evolved, Loudoun chose not to assign the volunteers to specific areas or routes, and they picked up signs as they have time during daylight and fair weather on VDOT roads. They were not to pull signs in the incorporated towns or from private property. Most of the volunteers pulled signs near where they live, largely in the eastern part of the County. Volunteers submitted monthly counts of signs removed to the staff coordinator; 52,315 signs were collected between March 2009 and December 2011.

Loudoun County operated a sign removal program through early 2012. In January 2012, the BOS eliminated the program due to the number of complaints received from businesses, civic organizations, religious groups, and political organizations about incorrectly removed signs (legal signs incorrectly removed) and removal in the incorporated towns. Staff investigated the complaints as they arose and found that many signs were removed from the incorporated towns and that most of the other signs removed by the volunteers were in violation of zoning regulations. Responding to and investigating these complaints became virtually a full time responsibility for one inspector by the time the program was discontinued. Inspectors now remove signs from the right-of-way one day per week.

Prince William County

Prince William County's sign removal effort uses staff resources only. A Neighborhood Services inspector canvasses the major roads in the County one or twice a week, depending on workload. When an illegal sign is found, the inspector places a sticker on the signs and photographs them sufficiently to identify the date, time and location in case the matter needs to go to Court. A letter is then sent to the sign owner, noting that a \$100 fine can be charged for the offense. According to the inspector in charge of the program, large businesses consider this "a cost of doing business" while the smaller businesses consider the fine onerous and may need to work out a payment plan. (If they sign a statement agreeing not to place an illegal sign again, no fine is charged; however, if they commit the same violation both the original and a new fine are charged.) The signs are removed from the right-of-way by weekend litter crews from the Solid Waste Division who remove the signs in conjunction with other work and dispose of them. Two – three hundred signs are removed each weekend; the program has an annual target of 20,000 signs which was achieved for FY2013 last month.

The "Adopt-a-Spot" Program supplements the VDOT Adopt-A-Highway Program and is focused on litter removal, including signs, and general upkeep. The Prince William program, which is administered by the Prince William Clean Community Council, targets parks, medians, vacant lots, parking lots, walkways, and public grounds in the County where litter is a problem. The Council identifies priority sites, provides training, and cleaning and safety supplies, and generally coordinates the program, including approval of the selected "spots". Participating volunteers and partnering groups must perform at least nine clean-ups in a 12-month period. Volunteers work on their own schedule but must complete an activity report following each clean-up. Recycling of materials is encouraged.

In addition to volunteer efforts, the Solid Waste Division has partnered with the Neighborhood Services Litter Control to sponsor a community clean up several times a year, subject to funding availability. They also remove temporary signs from Virginia right-of-way. Those interested in highway clean-ups are referred to the VDOT Adopt-A-Highway Program.

Fairfax County

Fairfax County does not have a sign removal program for State right-of-way, due to staffing and budget considerations. The County supports the VDOT Adopt-A-Highway Program, but does not use their authority under the Code of Virginia at this time.

In June 2009, the Fairfax Board of Supervisors agreed to refer the issue of reimbursements for removal of signs from VDOT right-of-way (Fairfax, by statute, receives only half of the fines) to their Legislative Committee.

The Clean Fairfax Council, a private non-profit organization initiated as a task force in 1978, promotes litter control, litter prevention, environmental education, and recycling in Fairfax County. The Council runs an "Adopt-A-Spot" Program similar to the one in Prince William County and sponsors community clean-ups at various times during the year.

Virginia Department of Transportation

As referred to above, the Virginia Department of Transportation (VDOT) sponsors an Adopt-A-Highway Program to assist with roadside maintenance. Volunteer groups and individuals sign up directly with VDOT to "adopt" a two-mile (minimum) stretch of roadway. AAH volunteers receive an informational package and a safety vest from VDOT, and are obligated to clean their section of highway four times per year or more, with a two year commitment. When crews schedule a clean-up, VDOT provides trash bags and picks them up afterwards. The volunteers work without supervision and perform a service VDOT is not staffed to handle. A brief Pick-Up Report is required following a clean-up.

The VDOT Program is available in Arlington; there are at least two stretches of State roadway including Lee Highway in Cherrydale that have been adopted.

Attachment 3

Authority to Remove Signs on County & VDOT Right-Of-Way, Liability for Volunteers & The City of Richmond Program

County staff, in consultation with the County Attorney, investigated and reviewed several matters associated with volunteer sign removal programs, specifically, the County's authority to remove signs in both County and VDOT right-of-ways, liability concerns and issues related to volunteer sign removers, and the sign removal program in the city of Richmond, Virginia. The following summarizes the investigations in these areas:

Authority to Remove Signs in County and VDOT Right-Of-Way

While there are no legal prohibitions to the County utilizing volunteers to remove signs from the County right-of-way, the County lacks legal authority to allow volunteers to remove such signs from State right-of-way located within the County boundaries absent a formal agreement between the County and the Commonwealth Transportation Commissioner pursuant to Va. State Code 33.1-375.1. The County does not have such an agreement.

County Liability for Volunteers

There are potential liability issues associated with a volunteer program--for volunteer injuries, third party injuries, and property damage. The County could require volunteers to sign an agreement to hold harmless the County for any injuries or losses suffered by the volunteer and also require the volunteer to indemnify the County for any injuries or losses to any third party resulting from the volunteer's participation thereby placing all risk for participation upon the volunteer. However, if such an agreement was found unenforceable, the County could be subjecting itself to unwanted liability. Moreover, requiring such a hold harmless and indemnification agreement with volunteers could frustrate the success of any volunteer program.

Alternatively, the County could choose to cover the volunteers through the County's Self Insurance coverage and protect the volunteers for any liability and/or injury. However, the insurance would cover the volunteer *only if the volunteer was acting under the "direct and continuous supervision of the County"* (emphasis added) and even then such insurance coverage would not cover the volunteer's vehicle and any injuries or losses associated with the volunteer's vehicle. Direct and continuous supervision by the County is distinguished from simply authorizing individuals to enforce the sign regulations on their own without oversight by the County. In the situation of volunteers acting alone, the Self Insurance Resolution would not apply and the County should require the indemnification and hold harmless agreements described above. Because of the risks of exposure to the County, authorizing independent action by individuals is problematic and is not recommended.

Under any scenario, a volunteer would not be exempt from prosecution for removing signs that should not be removed. Removing a legal sign would be not within the scope of duties that were assigned to the volunteer or directed by the County. Under such circumstances, a defense would not be provided by the County under the Self Insurance Resolution. Such action

could also subject a volunteer to civil action by a sign owner and the volunteer would be personally liable and not entitled to indemnification or insurance provided by the County.

The City of Richmond Program

One citizen suggested that Arlington adopt the approach used by the City of Richmond. Chapter 19 of the Richmond City Code, Nuisances and Environmental Control, contains specific provisions that define any signs in or on “a public way” to be prohibited. Further, any person, firm or corporation that has such signs posted on their behalf is violating this Code. The Richmond Code specifically states that anyone can “abate the nuisance created by the violation... without liability for doing so.” However, unlike Arlington County, which only controls those certain streets, roads, and rights-of-way not otherwise controlled by VDOT, Richmond controls all the streets, roads, and rights-of-way within its jurisdiction. Additionally, all signs in the public right-of-way under the Richmond ordinance are prohibited, whereas not all signs on public property are illegal under the Arlington County Code. Therefore, because of the complexities of the Arlington sign regulations (not all roads are subject to County enforcement and not all signs are illegal), enforcement is more complicated and authorizing “any person” to enforce these regulations is not recommended.

Attachment 4

INTERSTATE and STATE PRIMARY ROADWAYS in ARLINGTON COUNTY, VA			
Route No.	Name	From	To
1	Jefferson Davis Hwy.	S. County Line	I-395
27	Washington Blvd.	E. County Line	Arlington Blvd.
29	Lee Highway	W. County Line	N. Abingdon Street
29	Old Dominion Drive	N. Abingdon Street	Military Road
29	Lee Highway	Military Road	N. Lynn Street
50	Arlington Boulevard	W. County Line	Roosevelt Bridge
66	Custis Mem. Parkway	N. County Line	Roosevelt Bridge
110	Jefferson Davis Hwy.	N. Arl. Ridge Road	I-395
120	Glebe Road	Jefferson Davis Hwy.	Chain Bridge Road
123	Chain Bridge Road	N. County Line	Chain Bridge Road
124	Spout Run Parkway	Lee Highway	Lorcom Lane
233	Airport viaduct	Jefferson Davis Hwy.	National Airport
237	Washington Blvd.	Lee Highway	Glebe Road
237	Fairfax Drive	Glebe Road	Kirkwood Road
237	10 th Street, North	Kirkwood Road	Arlington Blvd.
309	Old Dominion Drive	N. County Line	N. Abingdon Street
	Lee Highway	N. Abingdon Street	N. Quincy Street
395	Shirley Highway	W. County Line	14 th Street Bridge