



# ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of June 16, 2012**

## SUPPLEMENTAL REPORT

**DATE:** June 13, 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.

**DISCUSSION:** Staff has continued to review the proposed amendment included in Attachment C of the report dated June 6, 2012, and has included some minor corrections in Table 1 below.

**Table 1: Corrections to Proposed amendment included in Attachment C of the staff report dated June 6, 2012**

Subsection	Page, and if available, line number	Correction
34.7.G.4(e) 34.7.N.4 34.10.A.5 34.16.C.3(c)	p. 19 p. 24 p. 35, line 403 p. 42, line 671	“RA” should be replaced with “RA14-26, RA8-18, RA7-16 or RA6-15”
34.7.H.3(c)	p. 20	The black and white image incorporated into the proposed amendment should be replaced with a color image, and the provision should also reference SHARED PARKING facilities in the Form Based Code.  

County Manager:



County Attorney:




45.

Staff: Deborah Albert, Planning Division, DCPHD  
PLA-6210

Subsection	Page, and if available, line number	Correction
34.7.O.3(b)(1)	p. 26	The <u>underlined text</u> below should be added to the proposed amendment:  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, <u>unless otherwise approved by the County Board.</u>
34.7.P.1	p. 27	The <u>underlined text</u> below should be added to the proposed amendment:  “In addition to other signs on a development project, the County Manager may place, or cause to be placed wall <u>or freestanding</u> signs at the garage entry to a public parking facility. . . .”
34.9.D	p. 34, before line 375	Insert new paragraph: <b>D. Other signs</b> If any sign other than those allowed by this section and/or by an encroachment ordinance or permit granted by Arlington County is placed in, on or over the public right-of-way, it shall be deemed abandoned and may be removed and disposed of by the County without notice or other process. Removal of the sign by the County will not eliminate the violation that occurred from the placement of the sign; the County may separately pursue available penalties and remedies for such violation.
32.16.D.2(d)	p. 42, before line 696	Insert new paragraph <b>(d)</b> No signs that are specifically prohibited by a condition in an approved site plan or comprehensive sign plan for the subject property shall be allowed.
Attachment B (Section 20 Appendix A)	p. 18, lines 42-43	After further research of approved signs for shared parking on Form Based Code projects, staff recommends that the proposed regulations to allow signs for shared parking facilities be limited to one additional wall sign per shared parking entrance. Blade signs for shared parking will be accommodated under the “incidental” sign provisions under 34.7.H, which are referenced in the Form Based Code, and will encourage use of the County standard way finding “P” designed to identify public parking facilities (see also “Option 17” in the Planning Commission recommendations below). These provisions would allow signs consistent with parking signs approved for existing Form Based Code projects.

Additionally, the staff report dated June 6, 2012 included (in Attachment D) a summary of recommendations from the June 4, 2012 Planning Commission meeting and staff recommendations regarding advertising of the items raised by the Planning Commission. Table 2 below includes potential zoning text that could be included in the advertisement in response to the Planning Commission recommendations. See Attachment D for full discussion of each item.

For reference purposes, each Planning Commission recommendation is numbered as an Option and is cross-referenced with the motion included in the Planning Commission letter dated June 8, 2012.

**Table 2: Potential zoning text in response to Planning Commission recommendations**

Option	PC recommendation for advertising and Staff response  Staff recommendation regarding inclusion in advertisement? →		Suggested Zoning Language  Note: all subsection references below are mutually exclusive. If more than one option is authorized, subsection references may be renumbered as appropriate.
<b>Modifications (subsection 34.3)</b>			
<b>1</b>	Require relevant civic association review of all proposed modifications.  (see motion in PC letter, #1.a)	No*	Not provided.
<b>2</b>	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.  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.  (See motion in PC letter, #1.b.1)	No	As drafted below, the following could apply to <u>any</u> sign, including signs not included in aggregate sign area, such as signs at the roofline, as permitted by §34.7.O, directory signs as permitted in §34.7.E or banners on poles as permitted in §34.7.D.  <u>Insert as 34.3.A.1(b)</u> The County Board may modify regulations to approve innovative elements of signs that otherwise conform to provisions for automatic changeable copy elements as provided in §34.11, illumination standards as provided in §34.10, and all standards for distance from R or RA14-26, RA8-18, RA7-16, RA6-15 zoning districts; direction the sign faces; number of signs; maximum sign size; and height; and total aggregate sign area.  No suggested language is provided to require concurrent Zoning Ordinance amendments.

Option	PC recommendation for advertising and Staff response  Staff recommendation regarding inclusion in advertisement? →	Suggested Zoning Language  Note: all subsection references below are mutually exclusive. If more than one option is authorized, subsection references may be renumbered as appropriate.
3	<p>Allow “Jumbotron” 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>(See motion in PC letter, #1.b.2)</p>	<p>No</p> <p>Insert as 34.3.A.1(b): The County Board may approve media screens that do not otherwise meet the standards in §34, subject to the following limitations:</p> <ol style="list-style-type: none"> <li>(1) Sign area shall be allocated from allowed sign area below a height of 40 feet, as set forth in §34.7.A.4.</li> <li>(2) The sign shall be located within a C-O, C-O Rosslyn, C-O Crystal City, RA-H-3.2, C-O-A, P-S, S-D or S-3A zoning district within a Metro station area as shown on the General Land Use Plan;</li> <li>(3) No such sign shall be located closer than 1000 feet of another such sign.</li> <li>(4) Screening and/or other mechanisms shall be used to mitigate the impact of the sign on traffic safety.</li> <li>(5) No part of any such sign shall be placed above a height of 40 feet.</li> <li>(6) The sign shall meet luminance standards for automatic changeable copy signs as set forth in §34.10.</li> <li>(7) No such sign shall face a residential use.</li> <li>(8) The sign shall provide space for announcements for community-oriented, cultural, civic or historic events at no cost, with prior consent by the applicant which would not unreasonably be withheld.</li> <li>(9) No such sign shall include infomercials or paid advertisement</li> <li>(10) No such sign shall include any commercial messages except those related to a commercial activity, product or service on the lot on which the sign is located, as set forth in §34.4.R.; or commercial messages that are incidental to or inseparable from the programming projected on the sign.</li> </ol>

Option	PC recommendation for advertising and Staff response  Staff recommendation regarding inclusion in advertisement? →		Suggested Zoning Language  Note: all subsection references below are mutually exclusive. If more than one option is authorized, subsection references may be renumbered as appropriate.
<b>Signs for public districts and uses (subsection 34.7)</b>			
<b>4</b>	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.  (See motion in PC letter, #2.a and 2.b)	No*	Not provided.
<b>Signs placed above a height of 40 feet (subsection 34.7.O)</b>			
<b>5</b>	Provide an option to prohibit all signs from being placed above a height of 40 feet  (See motion in PC letter, #3.a)	Yes	Provide optional provisions as follows: <ul style="list-style-type: none"> <li>▪ Insert as §34.4.T (prohibited signs): Any sign placed above a height of 40 feet</li> <li>▪ Strike §34.7.O;</li> <li>▪ Strike references to §34.7.O in §34.7.N.2, §34.7.I.2; and</li> <li>▪ Strike reference to signs placed above a height of 40 feet in §34.14.D.3.</li> </ul>
<b>6</b>	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.  (See motion in PC letter, #3.b)	Yes	Add two optional provisions 34.7.O.3(b)(3) and (4) as follows: <ul style="list-style-type: none"> <li>▪ (3) Signs that directly face an R or RA14-26, RA8-18, RA7-16 or RA6-15 district shall not be lighted between 8 p.m. and 8:00 a.m.</li> <li>▪ (4) Signs that directly face an R or RA14-26, RA8-18, RA7-16 or RA6-15 district shall not be lighted between 10:00 p.m. and 8:00 a.m.</li> </ul> <p>Note: the Planning Commission recommendation referenced §34.7.O.2(e). Because the proposed amendment addresses hours of illumination in §34.7.O.3, staff suggests alternatively providing language to address this recommendation in §34.7.O.3(b). At the time of consideration of the proposed amendment, the County Board could choose to adopt selected elements of OPTIONS A and B found in the aforementioned provisions.</p>

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7	Provide an option in §34.7.O.3(b) to allow roofline signs of hotels to remain illuminated at all times.  (See motion in PC letter, #3.c)	No	Modify §34.7.O.3(a) by adding the underlined text as follows:  No sign placed at a height of more than 40 feet shall be lighted between midnight and 8 am, <u>provided, however, that signs for hotel uses may be lighted 24 hours per day.</u>
8	Provide an option to allow only one additional wall sign to be placed above a height of 40 feet.  (See motion in PC letter, #3.d)	Yes	Not provided  This option is covered within the scope of the proposed amendment, which would allow up to two signs to be placed above a height of 40 feet.
9	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.  (See motion in PC letter, #8)	Yes	Include an alternative map 34-1 in the advertised amendment. See attached maps labeled with “option 9.”
10	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.  (See motion in PC letter, #5.a)	No*	Not provided
11	Allow temporary signs to be placed only below a height of 40 feet  (See motion in PC letter, #6)	No	Advertise an option to <del>strike</del> the proposed text §34.14.D.3. shown below:  <del>If the banner is within 200 feet and facing an R zoning district,</del> The highest part of the banner shall not be more than 40 feet above the finished grade as shown on the approved site plan.

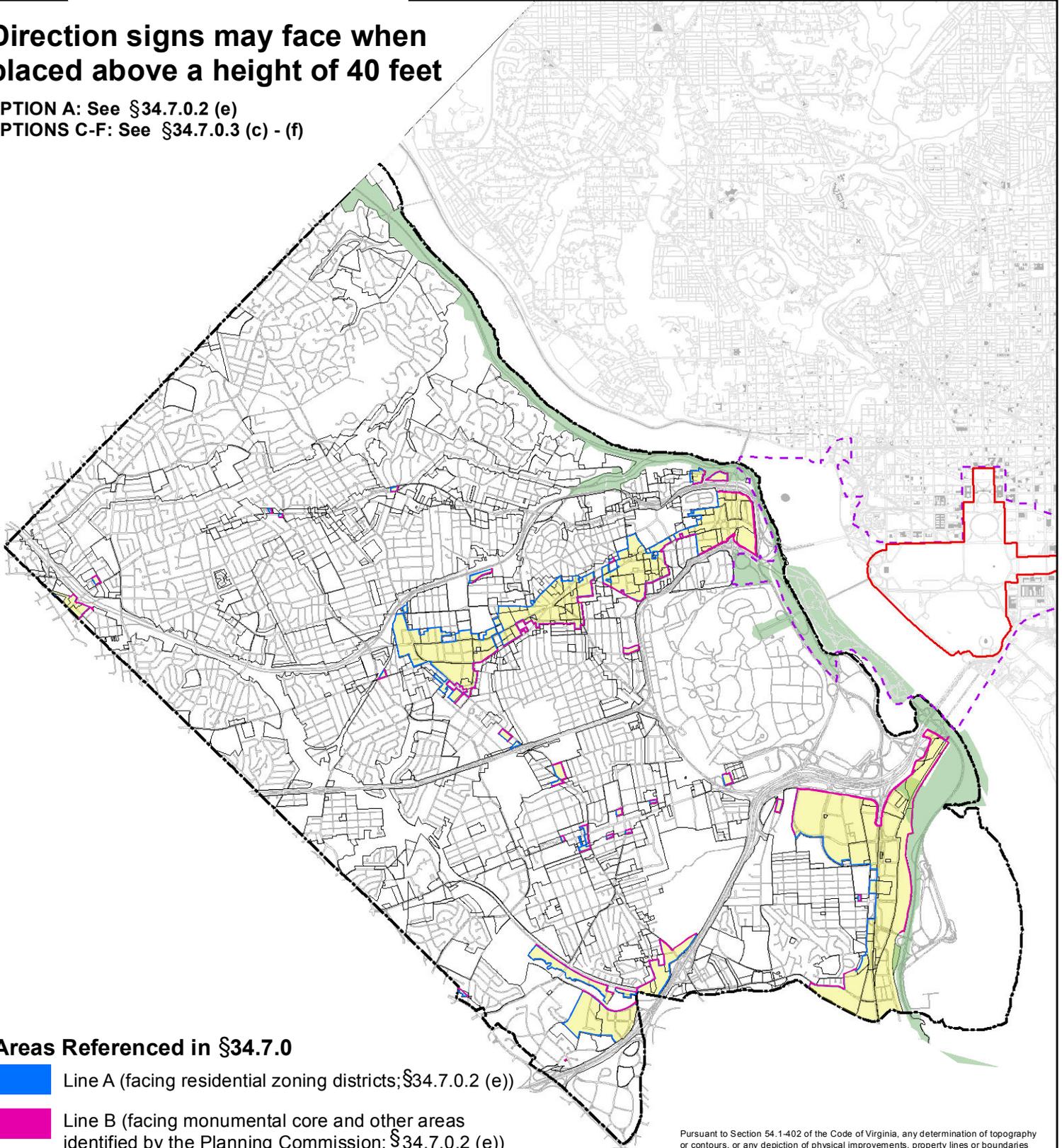
Option	PC recommendation for advertising and Staff response  Staff recommendation regarding inclusion in advertisement? →		Suggested Zoning Language  Note: all subsection references below are mutually exclusive. If more than one option is authorized, subsection references may be renumbered as appropriate.
<b>Signs in the public right-of way (subsection 34.9)</b>			
12	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)  (See motion in PC letter, #4.a, 4.b, 4.c, 4.d )	No	The following would neither explicitly allow nor explicitly prohibit signs on utility poles.  Advertise an option to: <ul style="list-style-type: none"> <li>▪ Strike “utility pole” from §34.4.E, §34.9.C.2, §34.9.C.5(a), §34.9.C.5(b); and</li> <li>▪ Insert the following into §34.9.C.2, §34.9.C.5(a) and §34.9.C.5(b): “Nothing in this provision shall be construed to authorize the posting of such signs upon utility poles, or in any place or manner prohibited by the provisions of this Section §34”.</li> </ul>
13	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  (See motion in PC letter, #4.c)	Yes	Add the <u>underlined</u> text shown below to the “Timing” provisions in 34.9.C.5(a):  Up to 31 consecutive days before <u>either an election called by a duly constituted governmental body, including all primaries, or a party nominating caucus called by a political party registered in the Commonwealth of Virginia,</u> which signs shall be removed within five days after the election to which they pertain.
<b>Illumination standards (subsection 34.10)</b>			
14	Permit lighted address signs in all zoning districts, regardless of other lighting restrictions.  (See motion in PC letter, #11)	No*	Not provided
15	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.  (See motion in PC letter, #7)	No*	Not provided

Option	PC recommendation for advertising and Staff response  Staff recommendation regarding inclusion in advertisement? →	Suggested Zoning Language  Note: all subsection references below are mutually exclusive. If more than one option is authorized, subsection references may be renumbered as appropriate.
16	<p>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>(See motion in PC letter, #9)</p>	<p>No</p> <ul style="list-style-type: none"> <li>▪ Provide an optional provision in §34.10.A.2(a) in the “maximum allowable luminance” box of the “all other zoning districts” category as follows: “Provided, however, that any sign within 200 feet of and directly facing an R, RA14-26, RA8-18, RA7-16 or RA6-15 district shall be limited to no more than 50”; and</li> <li>▪ Change the proposed §34.10.A.5 to §34.10.A.5(a) and add §34.10.A.5(b) as follows: Signs within 200 feet of and directly facing an R, RA14-26, RA8-18, RA7-16 or RA6-15 district shall not be illuminated at any time between 10:00 p.m. and 8:00 a.m.</li> </ul>
17	<p>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>(See motion in PC letter, #10)</p>	<p>No</p> <p>To not advertise the parking sign provisions, strike lines 42-43 in Attachment B.</p> <p>Alternatively:</p> <p>Modify the proposed text on lines 42-43 of Attachment B (see p. 18) to add the text shown with <u>underline</u> and remove the text shown with <del>strikethrough</del>, as shown below:</p> <p><u>One An additional wall 3-signs (wall or blade), meeting the standards below, are is permitted for each entrance to SHARED PARKING within a structure.</u></p>

## 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 and other areas identified by the Planning Commission; §34.7.0.2 (e))
-  Commercial, Mixed Use, Industrial and Public 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  
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DEPARTMENT OF COMMUNITY PLANNING,  
HOUSING AND DEVELOPMENT



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