



ARLINGTON COUNTY, VIRGINIA

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June 12, 2012

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

SUBJECT: 1. **Request To Advertise (RTA)** public hearings on proposed amendments to Sections 20, 20(Appendix A), 31A, 34 and 37 of the Arlington County Zoning Ordinance.

RECOMMENDATION: **Adopt the resolution attached to the staff report, dated May 25, 2012, 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, with the following additions:**

1. Section 34.3, Modifications

- a. Amend §34.3 to add a provision that provides for relevant civic association review of proposed modifications
- b. Amend §34.3 to expand allowable modifications to include authority for the County Board to approve:
 - 1) Innovative elements of a sign that would not be allowed under current rules as long as the exception would not affect standards related to number, size, aggregate area, height, changeable copy, lighting, distance from residential zones, and directional restrictions. In addition, any amendment should include concurrent County Board approval of an amendment to §34 to allow other similarly situated entities to display signs similar to the one approved under special exception
 - 2) Jumbotron only in Metro station areas and only if the County Board finds such a sign would not adversely affect the public health, safety and welfare

P.C. #45

2. **Section 34.7, Signs in C, M, mixed use districts (RA4.8, R-C, RA-H-3.2, MU-VS) and public districts (S-3A, PS, S-D) (excluding one- and two-family town house uses)**
 - a. **Remove from §34.7 all references related to public districts (S-3a, PS, and S-D)**
 - b. **Amend §34 to add a new, focused subsection detailing the regulation of signs in public districts (S-3A, PS, and S-D) and /or for uses typically found in such districts actually located “R” zones.**
3. **Section 34.7.O, Additional sign area above a height of 40 feet for specified uses**
 - a. **Provide an option to amend §34 to eliminate §34.7.O**
 - b. **Amend §34.7.O.2.e to provide options to require that all signs above 40 feet facing residential districts be turned off after 8:00 p.m. or, alternatively, after 10:00 p.m.**
 - c. **Amend §34.7.O. 3(b) to provide an option for roofline signs of hotels to remain illuminated at all times.**
 - d. **Amend §34.7.O to provide an option to allow only one additional wall sign above a height of 40 feet.**
4. **Section 34.4.E, Signs prohibited in all districts**
Section 34.9.C.2, Location
Section 34.9.C.5.a, Political Signs
Section 34.9.C.5.b, Seven-day signs
 - a. **Amend §34.4.E by striking “utility pole” in line 112**
 - b. **Amend §34.9.C.2 by striking “utility pole” in line 345**
 - c. **Amend §34.9.C.5.a to include under “timing” in the chart presented, “and up to 31 days before a party nominating caucus called by a political party registered in the state of Virginia”**
 - d. **Amend §34.9.C.5.b under “maximum size” to provide an option for a sign located on a utility pole to be no larger than 8.5” x 11” and that signs as large as 4.5 feet may be placed in other allowable locations**
 - e. **Amend §34.9.C.5.b under “location” to provide an option for posting these signs on utility poles**
5. **Amend §34.16, Nonconforming signs, to 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.**
6. **Amend §34.14 to allow temporary signs to be placed only below a height of 40 feet.**
7. **Amend §34.10.A (illumination standards for lighted signs) to 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 using an installed dimmer switch.
8. Amend §34 to include an option to replace the references to the George Washington Memorial Parkway, the Monumental Core, and Arlington Cemetery with a reference to Areas I and II of the “Memorial Core” as established by Congress in the Commemorative Works Act of 1986, as referenced in the Department of Interior NPS letter, and with this expansion to include the 9/11 Pentagon Memorial, the United States Air Force Memorial, and the Arlington National Cemetery and all of its parts.
 9. Illuminated signs under a height of 40 feet facing “R” and “RA” districts may be illuminated at the maximum allowable level for “R” and “RA” districts and must be turned off by 10:00 pm.
 10. Defer consideration of the parking signage amendment to the Form Based Code (FBC) Sign Regulations until the ordinance language can be reviewed by the FBC Working Group and ZOCO.
 11. Modify the RTA to permit in all zoning districts, regardless of other lighting restrictions, the ability of property owners or tenants to have one lighted sign for the sole purpose of lighting the street address to ensure adequate emergency response.

Dear County Board Members:

The Planning Commission heard this item at its June 4, 2012 meeting. Vice Chair Harner noted that it is unusual for the Planning Commission to deliberate on a Request To Advertise (RTA), but because of the extent of changes and discussion on the sign ordinance the Commission wanted to offer the County Board its advice on the content of the RTA. He indicated that if the RTA does not include sufficient options for consideration, the County Board might not be able to act on changes to the staff recommendations without re-advertising the proposed amendments. Therefore, he wanted to make sure the RTA gives the County Board sufficient latitude to accommodate any recommendation that the Planning Commission or others might have regarding the sign ordinance. Vice Chair Harner asked that the Planning Commission deliberations and motion be limited to the issues relevant to the RTA and that full consideration of the sign ordinance occur at the July 9, 2012 meeting.

Deborah Albert, CPHD Planning staff, described the request to authorize advertisement of public hearings by the Planning Commission and County Board on July 9, 2012 and July 21, 2012, respectively, to consider comprehensive revisions to the sign regulations in Sections 20, 20 (Appendix A), 31A, 34 and 37 of the Zoning Ordinance. She described the public outreach and review process that began in January 2011. Ms. Albert also provided a summary of the proposed changes, including the new format and organization for the regulations and refinements in the current regulations to allow additional flexibility, administrative approval of most signs, and

codification of consistent administrative practices. Finally, Ms. Albert reviewed several additional concerns raised by the community and ZOCO. Also present were Claude Williamson and Richard Tucker, CPHD Planning staff.

Public Speakers

Christer Ahl, a resident of Crystal City, noted the complexity of the proposed sign ordinance amendment. While he recognized that simplicity, creativity and variety are encouraged with storefront signs, roofline signs should be addressed differently. He noted that it is difficult to anticipate the different types of buildings and the impacts of roofline signs and their illumination. Public review of these signs would allow for consideration of impacts and identification of appropriate compromises. He stated that Option B is the most realistic option, as Option A rules out the potential to negotiate appropriate compromises with neighbors. Options C – F should address whether the signs are visible and not just the direction in which the signs are facing. The County should rethink the principles and procedures for roofline signs and illumination.

Scott Wierzbowski, representing the Arlington Ridge Civic Association, thanked staff for their hard work on this proposal over the last two years. With regard to signs above 40 feet, he referred to Map 34-1 and recommended that roofline signs should not face the residential areas of Arlington Ridge, noting that topography and ridges should be taken into consideration. With regard to signs facing the federal corridor, while he believes that the ability to administratively review and approve signs is good; there needs to be the ability to assess the various impacts through the public review process.

Ted Saks, a resident of Aurora Hills, stated that he would prefer that no roofline signs be allowed; however, if they are, they should not face residential neighborhoods or the Monumental Core. He further stated that Option A is his preference, and that all signs should be subject to mandatory County Board review of potential impacts.

Thomas Sheffer, representing the National Park Service (NPS), expressed concern about impacts of the proposed changes to the sign ordinance on the Washington, DC Memorial Core, Arlington Cemetery, and the George Washington Memorial Parkway. He stated that their view sheds should be unimpaired for future generations. Mr. Sheffer's comments referred to Section 34.7.O, "Additional sign areas above a height of 40 feet for specified uses" which address rooftop signs facing federal lands. He stated that the NPS strongly supports Option F, which is the only option that truly protects NPS sites and Arlington Cemetery. Furthermore, he suggested that should the County Board find a way to enforce the new sign regulations on existing signs above 40 feet, that existing signs be brought into compliance with new regulations as opportunities become available.

Larry Mayer, representing the Civic Federation, noted that the Federation's Zoning and Planning Committee would be reviewing the proposed changes at its general meeting on June 5, 2012. He referred to page 9 of the staff report, where staff highlighted community concerns. He noted their concerns, including: 1) lack of agreement among civic associations on the placement of limited content-neutral commercial signs in the public right-of-way that would announce meetings, etc.; 2) extending the use of commercial directional signs beyond real estate signs, which some civic associations believe will result in a significant increase in signs and be problematic due to, in his

opinion, a lack of County enforcement; 3) some civic associations want the ability to remove signs; 4) proximity and visibility of signs for certain events, including use of A-frame signs in public medians; and, 5) impacts of roofline signs, most of which would be alleviated if roofline signs were not allowed and recommendation of an additional option for no roofline signs.

Kenneth Peskin, representing the International Sign Association, expressed concern for signs that will become nonconforming if the proposed amendment regarding illumination levels is adopted. The amendment allows owners a period of 10 years to bring existing signs into conformance with proposed new lighting standards; however, it would be difficult. For example, small commercial areas would be required to place dimming controls on existing signs to conform to the new lighting standards, which would be cost-prohibitive.

Michael Dowell, representing the Aurora Highlands Civic Association, supports the requirement to limit the luminance level of signs. He noted that the use of white and off-white sign colors may result in brighter signs and work against the luminance standards; therefore, the County should retain the ability to require dimming controllers. Mr. Dowell referred to the Qwest sign, which he noted is too bright and can be seen for one-half mile. He added that there should be a requirement for owners to remove nonconforming signs that display the name of businesses or organizations that no longer use that name, such as Qwest.

Planning Commission Report

Commissioner Cole thanked Ms. Albert for her very thorough and thoughtful support and hard work on this subject. He noted that the members of the Planning Commission have met on more than 20 occasions to review the proposed amendments. While most concerns have been addressed, there remain a few outstanding issues. Commissioner Cole proposed an outline for discussion, which included five issues addressing recommended changes to the RTA. He believes the options discussed in the staff report cover these issues. The five issues include:

1. Modifications (Section 34.3)

Commissioner Cole stated that for the most part he believes this section correctly addresses the concerns. He expressed the view that the community's desire to retain the opportunity to testify to the County Board on applications for roofline signs is related, in part, to the belief that the adopted policy may not protect their interests. He suggested that County Board discretion is needed only when the "right policy" cannot be identified. He urged the Commission to amend the proposed RTA so that the County Board would have a broader array of options to consider on what are the right policies when it adopts an amendment.

2. Grouping of Public Districts with Commercial, Industrial and Mixed-Use Districts (Section 34.7) or Allowing Institutional Uses in these Zoning Districts to be Regulated Under Section 34.8

Commissioner Cole stated that, in his view, public districts have different signage needs than commercial and industrial districts. The staff proposal is to provide for exceptions within the commercial and industrial districts to allow public and institutional uses to have signs that other uses within that district would not have. This would create an ordinance that is not as simple or transparent as one that might provide specifically for signs within public districts.

3. Hours of Illumination/Placement of Signs Above 40 feet (Section 34.7.O)
Commissioner Cole asked the Commission whether Options A and B sufficiently articulate the concerns or if other options would be appropriate.
4. Noncommercial Temporary Signs in the Public Right-Of-Way or On Public Property (Section 34.9)
Commissioner Cole noted that in amending the County’s sign ordinance, we have the opportunity to allow for signage that we believe should be legal, such as signs identifying lost pets or yard sales that are typically 8 ½” x 11” in size and often written with a Sharpie pen. He believes citizens should be able to post such signs on utility poles, as the County does with its zoning placards.
5. Grandfathering (Section 34.15.B, Section 34.16.D)
Commissioner Cole noted that he shared the view of the NPS speaker who expressed the view that signs that do not comply with the proposed sign ordinance amendments should be removed and/or made consistent with the amended ordinance. He suggested that the proposed sign ordinance amendment provides a vision for signage in the County and, more broadly, reflects an important aspect of how we all want to experience our community. Signs that are out of compliance should be brought into compliance. He hoped the Commission would find a way to provide the County Board an option to eliminate the grandfathering that could otherwise allow noncompliant rooftop signs to remain in perpetuity.

Planning Commission Discussion

Vice Chair Harner asked the Commission if it would like to add to Commissioner Cole’s outline of discussion issues.

Commissioner Malis asked to add the Form Based Code Sign Regulations, Lighting Standards, and Political Signs.

Commissioner Savela asked to include a definition of federal lands.

Commissioner Kumm asked to include “Additional sign area above a height of 40 feet for specified uses” (Section 34.7.O.1). She would like to consider an option to allow only one additional sign, instead of two as proposed.

Commissioner Fallon asked to discuss and clarify the limits of the scope of the Request To Advertise.

Commissioner Iacomini asked to remove references in the Planning Commission recommendation to the public districts “P-S”, “S-3A”, and “S-D”, and instead refer to the public uses because they may have underlying zonings that are not public. This would address some of the issues raised in the public testimony.

Scope of the Request To Advertise (RTA)

Commissioner Fallon asked for clarification of the limits of the RTA. Ms. Albert responded that scope issues can be complicated and suggested that the Commission recommend the County Board

advertise the broadest possible range so that they may have the option to recommend narrower, more restrictive requirements that would fall within the advertised scope. To ensure that it understand the limit of scope for all issues, she suggested that the Commission identify the areas they want to include and she would consult with the County Attorney.

Commissioner Harner asked Ms. Albert to summarize the issues raised by the public speakers that might not fall within the scope of advertisement. Ms. Albert summarized the speaker comments as: 1) no signs should be allowed above a height of 40 feet; 2) signs above a height of 40 feet should not face residential areas, and topography and ridges should be taken into consideration; 3) civic associations should be able to bring their issues before the County Board; 4) signs should not face the Monumental Core and residential areas; 5) all rooftop signs should be reviewed by the County Board; 6) civic associations should be allowed to have A-frame signs within medians; 7) community signs should be allowed in parks; 8) the 10-year time frame to bring non-conforming signs into compliance with the lighting provisions is cost-prohibitive when combined with nonconforming use restrictions governing properties; and 9) white and off-white sign colors defeat luminance standards. Ms. Albert suggested that the Commission identify the issues that they would like to include within the scope.

Commissioner Fallon asked, based on comments received from public testimony and Commissioner Cole's list, about issues that are not addressed in the scope of the RTA. For example, the suggestion to prohibit signs above a height of 40 feet is not included as an option. He requested clarification on how decisions were made. Commissioner Cole noted that his motion would include a recommendation that the County Board include an option to prohibit signs above 40 feet. He added that if the option is not included within the RTA, the County Board would not be able to act on it. In response to Commissioner Fallon, Ms. Albert stated that while the ordinance currently does not allow signs above 35 feet, modifications of this limitation are permitted. She encouraged the Commission, particularly on this issue, to identify the options they recommend be included within the scope of advertising rather than trying to determine whether or not they are already included.

Commissioner Iacomini referred to Section 34.7.G, Freestanding Signs, and inquired about whether existing freestanding signs located in commercial districts that predate the zoning ordinance would continue to be grandfathered, to which Ms. Albert responded yes.

Commissioner Malis inquired about the 400-foot rule in Section 34.9, line 288, and if it refers to civic associations holding events such as picnics. Ms. Albert responded no, that it refers to concession stands, for example, in baseball stadiums. She does not believe the intent is to include civic associations, but will confirm. Commissioner Cole stated that the amendment is to not preclude signs for concessionaires and event sponsors, but rather to reinforce that they have to be 400 feet away from the R-O-W. Commissioner Malis asked about the intent of the amendment, to which Ms. Albert responded that the intent is to tie down the requirements for vendors in stadiums and arenas and is not intended for private parks. Commissioner Cole added that if the County Board eliminated the 400-foot distance requirement, it would expand the right of groups posting signs. Commissioner Malis asked for confirmation that the intent is for permanent concessionaires, and that it would not apply to scoreboards. Ms. Albert responded that she would confirm. Commissioner Savela asked if the standard is intended for permanent signs, because event sponsors are not typically permanent users of these facilities. She asked if it is more for park facility

sponsors, and if so, that would be different from an event sponsor. Ms. Albert responded that facility sponsors are covered in another provision of the proposed amendment.

Commissioner Kumm stated that Section 34.9.A.6 (lines 280 – 283) addresses temporary signs for community events. However, she suggested that staff reconsider 34.9.A.7 and 8, as they are problematic and limit the ability to achieve the goal of 34.9.A.6.

Commissioner Fallon requested confirmation that there is nothing in the proposed amendment that would preclude the County Board from amending the Zoning Ordinance, on its own motion, in the future in order to address a standard that it has determined could be addressed in a different way, to which Ms. Albert responded no, there is not.

Commissioner Malis inquired as to whether certain sections of the ordinance could be approved in July leaving the balance to be deferred to another date. Ms. Albert responded that while approving some sections and not approving others may result in some disconnects, it is something that the County Board could do if it so chooses.

Vice Chair Harner suggested that the Planning Commission move its discussion to Commissioner Cole's five discussion issues.

Modifications (Section 34.3)

Commissioner Cole stated that during the ZOCO discussions several changes to the modifications section were suggested, including: 1) civic association review of changes should be allowed prior to County Board consideration of a modification; 2) a broad special exception authority, which in his view is at odds with the general goal of reducing the number of modifications and the time the County Board must devote to signs; 3) allowing the County Board to make special exceptions for new innovations that are not allowed under the current rules, as long as the exception would not affect standards related to number, size directional and other restrictions; 4) allowing similarly situated entities to post similar signs which could be approved administratively in the future; and 5) allowing Jumbotrons within Metro Station areas. With regard to new innovations, every other element of the sign ordinance would still stand. Innovations may include news type of lighting, or "touch signs" similar to a large wall iPad. With regard to Jumbotrons, Commissioner Cole stated that the County Board previously passed an ordinance to allow one jumbotron in each Metro Station area but it is not included in the Zoning Ordinance.

Grouping of Public Districts with Commercial, Industrial and Mixed-Use Districts (Section 34.7) or Allowing Institutional Uses in these Zoning Districts to be Regulated Under Section 34.8

Commissioner Cole stated that he believes public districts are fundamentally different and are designed for different uses than commercial, mixed-use, and industrial districts. In the best of all possible worlds, the ordinance should include a section on signage in public districts, with subsections for schools, parks, and hospitals, for example. Schools and parks have a unique relationship with other elements of the community, as they are usually located adjacent to, or are islands within, residential areas. Their signs should meet their needs but also be sensitive to the surrounding residential uses. Signs for these uses should be subject to separate and different standards than commercial signage. He will recommend that the ordinance be changed to create special sections for public districts.

Commissioner Fallon noted that there are a number of private schools and privately owned parks and plazas many of which have public easements. He inquired as to how these sites would be treated under the amended ordinance. Ms. Albert responded that the ordinance refers to public parks. If a park is privately owned, then it would be regulated under the regulations for the zoning district in which the park is located, or it might fall within the category of institutional uses. With regard to schools, the proposed ordinance includes some specific provisions that may also be applied to private schools. Ms. Albert stated that she does not believe there are private schools located in an "S-3A" district, but if so then those rules would apply. Private schools located in other districts could choose to either comply with the provisions for institutional uses or the regulations for the district within which they are located. Commissioner Cole asked for confirmation that schools referenced in Section 34.7 address not-for-profit or non-profit schools and does not address for-profit schools. Ms. Albert responded that Commissioner Cole was referring to the reference to institutional uses, and that the ordinance definition of institutional uses does not include for-profit schools.

Commissioner Iacomini stated that she agreed in principle with Commissioner Cole with regard to separating the zoning categories for the public uses; however, she is concerned about public uses that have zoning other than public, such as Lyon Park which is zoned "R-6". She questioned if these uses could install banners, for instance under the proposed amendment and asked if the text should be amended to address public uses located in other districts. Ms. Albert responded that the provisions for institutional use signs allow the same type of signs for institutional uses regardless of the zoning district in which they are located, including temporary banners. Commissioner Iacomini followed up asking if under Section 34.8, Institutional Uses, a banner reading "Spring Fair" would be permitted. Ms. Albert responded yes, a temporary banner would be allowed for 16 days at a size of up to 40 square feet. Ms. Iacomini followed asking if the section would allow signs for community events in parks, such as Lyon Park. Ms. Albert responded yes, through the provisions for institutional use signs rather than the provisions for signs in the "R-6" zone, so long as the subject use is defined as an institutional use; however, she noted the owner would have to make a decision as to the section of the ordinance that would be regulate its signage. Commissioner Iacomini asked if civic associations could install banners for community events on, for example, the perimeter fence of a County-owned park. Ms. Albert responded yes, as long as they comply with the provisions for temporary signs under the institutional use signs and seek the proper permits and permission from the County for use of the park.

Commissioner Savela stated that she shares the concerns identified by Commissioners Cole and Iacomini, and agreed that schools and parks are completely different types of public uses that need sign ordinance language that meet their specific needs. She reminded the Commission that there are County-owned parks and properties that are zoned differently than public, and the desire is to maintain the zoning because of the associated density could be sold or transferred to achieve the public good. Therefore, simply referring to public use districts is not sufficient. Commissioner Savela expressed concern about how the RTA can be modified to cover the various scenarios and cannot envision some sections being acted on and others deferred. Ms. Albert agreed with Commissioner Savela that there are public parks that are zoned other than public, and for those reasons there are special provisions for institutional uses that would apply regardless of the zoning district in which the use is located, and such provisions could be applied to public parks located in

any zoning district and include specific provisions to address public park uses. She also stated that the institutional use sign provisions are the most appropriate sign provision for those uses.

Commissioner Malis asked if the institutional use sign provisions are an option and if the sign provisions associated with the site's zoning district could also be used, to which Ms. Albert responded yes but the owner would have to declare which provisions it intends to comply with. Commissioner Malis followed that perhaps there should not be an option and that the institutional use sign provisions only should govern institutional uses. Ms. Albert responded that the option affords the institutional uses the same rights as other uses having the same zoning, as well as provide additional flexibility to meet their particular programming needs.

Commissioner Harner asked if Commissioner Malis' suggestion to eliminate the option could be captured in the RTA. Commissioner Cole responded that the definition of institutional uses is very broad and includes both public and semi-public uses. With regard to Lyon Park, for example, it would be considered an institutional use because of its "R-6" zoning and could have signage afforded under either the "R-6" provisions or the institutional use sign provisions. The trustees of the park would have to make a decision as to which provisions it would want to comply with. Lyon Park's signage tends to be temporary and therefore would not be grandfathered. If there were permanent signs, they would be grandfathered as long as they are currently legally conforming. Commissioner Cole noted that one concern is churches located in commercial districts, which up to now have been required to use the commercial signage provisions. For example, if the First Baptist Church of Clarendon wants a monument sign, it would have to declare itself as an institutional use per Section 34.8 because monument signs are not permitted under its "C-R" zoning. The proposed option would allow the church to be treated as an institutional use within the "C-R" district; however, the church, alternatively, could decide that it wants to install signs permitted only under its commercial district zoning. The church would be required to declare which provisions it would seek to comply with, either the institutional use or commercial sign provisions, but not both.

Commissioner Harner, following up on Commissioner Malis' questions, suggested that perhaps institutional uses should not have the option to choose one set of provisions or another. While eliminating the option would be more restrictive relative to the proposed RTA, he asked whether it would be more beneficial for the proposed RTA to choose one of the options as suggested by Commissioner Malis and allow it be expanded when fully considered by the County Board. Commissioner Cole responded that the current options should not be removed, as the option suggested by Commissioner Malis to only permit signs allowed under the institutional use sign provisions would be too narrow and would not take into consideration their underlying zoning rights.

Hours of Illumination/Placement of Signs Above 40 feet (Section 34.7.O)

Commissioner Cole stated that during ZOCO it was repeatedly raised that there should be an option to prohibit either all signs or simply the illumination of signs above 40 feet. There were also suggestions to restrict illumination after 10:00 p.m. or, alternately, after 8:00 p.m. and to allow special treatment for hotels to allow illumination all night. Although it was generally believed that roofline signs typically have commercial rather than directional purposes, hotels signs could be treated as directional and the consensus was to allow exemptions for them to be illuminated all night.

Commissioner Kumm expressed appreciation for Commissioner Cole's efforts to broaden the range of options under consideration for the amended sign ordinance. She suggested that the options be expanded in Section 34.7.O to add an option to allow only one sign at a height above 40 feet, rather than two, in order to address concerns raised by the public speakers regarding the impacts of signs above 40 feet.

Commissioner Fallon sought clarification on whether the sign provisions recognize architectural lighting as signage and if it is regulated as such. Ms. Albert responded that the proposed amendment would provide standards for when architectural lighting is defined as a sign. Under Section 34.2.C, it states that the ordinance is not applicable to architectural lighting and embellishments that contain no word, logo or trademark symbols, and that has lighting that includes tubes or strips of light outlining a building or part thereof, highlights parts of a building that does not include a sign, and provides embellishments such as special rooflines, parapets, building extensions or accessories. If the lighting were determined to not be a sign, then the architectural lighting would be subject to review and approval by the County Board as an architectural embellishment. Commissioner Cole added that in his view the brightness of architectural lighting is an important issue and that it should not be allowed to be brighter than illuminated signs. When staff begins the next phase of updating the Zoning Ordinance, it is his hope that staff will return to the issue of the brightness of architectural lighting.

Commissioner Harner expressed his concern that the RTA not be so narrow as to preclude the ability to address, or perhaps eliminate, certain provisions regarding signs above 40 feet. Commissioner Savela stated that she understands staff's desire to not include every option in the RTA, but she strongly believes that the RTA should include the option of allowing no signs above 40 feet and as a fall back an option that no signs above 40 feet should be illuminated regardless of the direction. The options are all focused on specific situations and locations of rooftop signs, which is why she raised the question of the definition of federal lands. Commissioner Savela stated that this is the only subject that affects federal lands, which are defined as signs facing the Monumental Core, George Washington Memorial Parkway, and Arlington Cemetery. In order to make this as restrictive as desired for purposes of the RTA, she suggested that the motion might also include within the list of federal lands the United States Air Force Memorial, the United States Marine Corps War Memorial, and the National 9/11 Pentagon Memorial. Ms. Albert responded that the term federal lands is not used in the ordinance and suggested that Commissioner Savela refer to Line B (the pink line) on Map 34-1 and consider how the RTA could be expanded to include the other federal lands she identified. Commissioner Cole suggested that the motion include the definition provided in the letter from the NPS to Arlington County Board Chair Mary Hynes, dated May 31, 2012, which states, "Prohibit all permanent and temporary signage and/or other such form of advertisement of corporate identification above 35 feet from ground level on buildings that face Area I or Area II of the "Memorial Core" as established by Congress in the Commemorative Works Act of 1986." He stated that the letter explains why this is a good standard for protecting these areas and believes this definition is specific enough to protect the additional areas that Commissioner Savela identified. Commissioner Savela questioned whether the two latest memorials are included. Commissioner Cole concurred with Commissioner Savela that perhaps certain areas are not included and that the NPS language should be added to Map 34-1.

Commissioner Forinash pointed out that Area II referenced in the NPS letter is not shown on Map 34-1. Commissioner Savela also pointed out that the reference made to a letter from Associate Regional Director Peter May, dated September 2011, was not attached.

Commissioner Fallon asked staff to clarify what is meant by signs “facing” a federal land, in terms of direction (diagonally or directly) and distance. Ms. Albert responded that the provisions define it by Line B (the pink line) on Map 34-1. Commissioner Fallon also asked if existing rooftop signs are grandfathered. Ms. Albert responded that the ordinance would treat all existing rooftop signs as conforming signs. In other words, if the County Board decides to prohibit signs above 40 feet, the existing signs could remain. Commissioner Fallon followed with several comments about the interpretation of the NPS letter about signs “directly facing” federal lands and asked if the RTA would leave open the interpretation of signs “directly facing” federal lands. Ms. Albert responded that part of the reason for the update to the sign ordinance is to clarify the regulations and leave fewer provisions open to interpretation. If the Commission wants the County Board to have the option to prohibit signs in areas identified by the NPS, then she would recommend the Commission recommend that Line B be extended to cover those areas so that it would not leave the term “directly facing” open to interpretation.

Commissioner Cole raised a concern about the many rooftop signs that potentially face the Air Force Memorial due to its extreme height. Commissioner Malis suggested that a distance measure be applied to rooftop signs adjacent to federal lands for the County Board to consider in July. Commissioner Fallon responded with a concern that this would be an additional restriction not covered in the scope of the RTA. Commissioner Malis pointed out that it would be difficult to identify an appropriate distance, to which Commissioner Fallon suggested a distance of up to 5 miles away that would cover shorter distances if deemed appropriate.

Noncommercial Temporary Signs in the Public Right-Of-Way or On Public Property (Section 34.9)

Commissioner Cole raised a concern about political signs, and in particular signs for party caucuses versus organized government elections. He did not believe that party caucuses should be constrained as proposed by staff, but rather treated similarly as signs for candidates running for political office. He stated that it creates a burden for candidates, as the signs are limited to 7 days and requires the removal of signs after the 7-day period. Commissioner Cole proposed that candidates for nominations in party caucuses of a registered political party in Virginia be allowed the same rights and operate under the same rules as candidates running in an official primary or general election.

Commissioner Malis stated that she fails to see the distinction between primaries and caucuses, as their purposes and results are identical. She stated that other language that provides the same rules for caucus elections as for primaries should be identified and using the term “registered political parties” may help.

Commissioner Fallon added that there are legal distinctions between primary elections and private endorsement contests, but they do serve a similar public purpose and should be treated like other political signs. With regard to the 7-day sign rule, there are a number of questions and enforcement problems. If the Commission wants to allow political caucus signs, there may be other ways to address this. Ms. Albert responded that caucuses are different from government elections and are

not covered by election law. Commissioner Malis asked if for the purpose of the sign ordinance election laws have to be used to make these distinctions. Ms. Albert responded that it might be necessary in order to understand the distinctions between political party elections and civic association elections, for example. When regulating noncommercial speech, these distinctions must be considered. Ms. Albert agreed to follow-up on Commissioner Cole's suggestion regarding the option of using the term "registered political parties".

Grandfathering (Section 34.15.B, Section 34.16.D)

Commissioner Cole suggested that the County Board have the option to adopting a provision that would require the removal of signs on buildings no longer occupied by the tenant or owner to which the sign relates, including prohibiting re-facing or renaming the sign. For example, under the proposed provisions the "BAE Systems" sign could be replaced by a "Coca Cola" sign if the Coca Cola company leased space in the building.

Commissioner Kumm agreed that, in response to a public speaker, when a company name changes the sign should not be allowed to remain.

Commissioner Cole stated that he is very sensitive to the correspondence he has received from developers about the value of having rooftop signs. While he is sensitive to their concerns, he is not convinced that companies will not locate in Arlington because rooftop signs are not allowed. Signs above 40 feet are not allowed in Washington, DC or San Francisco. Northrop Grumman chose not to locate in Arlington for reasons unrelated to signage. Commissioner Cole stated that he is unclear of the empirical evidence supporting the loss of tenants for reasons due to lack of rooftop signs and suggested that such studies be provided to support it.

Commissioner Fallon stated that he supports an option that no nonconforming signs over a height of 40 feet would be allowed.

Commissioner Malis stated that in the past rooftop signs were negotiated as part of a site plan and that this is a big step to allow them by right. Through the site plan review process there was a value to negotiating community benefits based on the impacts.

Commissioner Serie inquired about including in the scope of the RTA the removal of rooftop signs of tenants and owners that are no longer in business under that name. Ms. Albert responded that while it is not included within the scope of the RTA it might be something that could be done.

Commissioner Iacomini stated that she understands the need to include grandfathering if an option is also included that permits no signs above 40 feet.

Commissioner Fallon stated that during the ZOCO meetings there was a lot of discussion about leasing signs above 40 feet, and asked if this is covered in the proposed amendment. Ms. Albert responded that the proposed amendment provides for the placement of temporary leasing banners anywhere on the building, but if the building is located within 200 feet of and facing single-family residences in the "R" district, then the temporary leasing banners cannot be placed above 40 feet. In other areas the banners could be placed above 40 feet by right. In addition, temporary leasing banners could not be lit.

Commissioner Malis inquired about temporary leasing banners on existing buildings and asked if, for example, the BAE sign could be replaced with a leasing sign at the rooftop. Ms. Albert responded that the proposed amendment includes a provision that would allow approved existing signs to be covered with temporary banners, but it only applies to signs below 40 feet. Therefore, the existing BAE rooftop sign could not be wrapped with a temporary banner; however, if the owner wanted to change the content of the existing sign then that could be done. The BAE sign could not be replaced with a temporary sign or banner at the roof top, without meeting certain provisions including limiting the size to 120 square feet and addressing standards related to building vacancies. Commissioner Malis reiterated her concern about degrading the quality of the built environment.

Form Based Code Sign Regulations

Commissioner Malis referred to new language (lines 16 and 17 in Attachment B) that was not previously vetted by ZOCO and the Form Based Code Advisory Working Group (FBC AWG). The new language addresses parking signs, which the FBC AWG had not discussed. She asked if this could be deferred to a later date after the FBC AWG has had an opportunity to discuss it. Ms. Albert responded that there would be no harm in advertising it as it keeps the options open. Commissioner Malis noted that she has a number of questions and there may not be an opportunity to discuss them within the normal process in time for the July 2012 hearing. Commissioner Cole commented that removing this would be problematic and that it would be better to include it within the scope, as it is currently not included in the ordinance. Commissioner Malis noted that the balance of the FBC provisions were vetted by the FBC AWG and included modest changes.

Lighting Standards and Adjacent Uses

Commissioner Malis stated that she raised this as a concern because signs below the height of 40 feet have no restriction on hours of illumination. The brightness permitted is based on the district in which the building is located and therefore raises the question of potential impacts on adjacent uses. She asked about buildings that are located in commercial districts, but situated adjacent to residential districts, such as the Garden City Shopping Center and Lee Heights Shopping Center on Lee Highway. There are retail stores located at the rear of the buildings that face residential uses and the brightness of their signs can be just as obtrusive at 40 feet or below as signs above 40 feet. Commissioner Malis requested that the illumination standards consider adjacent uses.

Commissioner Fallon agreed with Commissioner Malis and asked if there have been any complaints. Ms. Albert responded that she was aware of one complaint; however, the County currently does not have luminance standards in the ordinance so staff currently has to rely on voluntary cooperation from the building owner or retail tenant to address such a complaint. Commissioner Fallon asked if the luminance standards are analogous to the standards of the noise ordinance. Ms. Albert responded that there might be a level that is acceptable, as with the noise ordinance. She added that luminance standards set objective standards and remove biases.

Commissioner Cole stated that he is not proposing an amendment related to lighting provisions for signs below 40 feet and asked if there is a section in the sign provisions that would be appropriate to include a requirement that signs directly adjacent to "R" or "RA" zoning districts be turned off at a certain time. Ms. Albert responded that staff would consider the most appropriate location within the proposed provisions. With regard to illumination standards, Commissioner Cole noted two areas in which he would like more discussion in July. 1) He would be very interested in a discussion on

issues that have not been resolved. 2) He would be interested in the technical questions about reliability, validity and the general applicability of objective measures. Arlington would be the first jurisdiction in the country to adopt broad illumination standards for regular signs. He believes the restrictions on hours; distance, height and dimmers provide opportunities to respond constructively on a complaint-based enforcement approach to address perceived excessive brightness.

Commissioner Malis commented that one of the public speakers identified the color white as being particularly impactful. Ms. Albert responded that she is aware of the issue of white light being perceived as brighter than other colors. The meter that would be used to measure luminance level is be calibrated to take into account the differences of perceived brightness by the human eye. For example, a white light at 300 candelas/m² will be perceived to be brighter than a blue light at the same luminance level.

Additional sign area above a height of 40 feet for specified uses

Commissioner Kumm stated her desire to broaden the discussion to accommodate the issues raised by public speakers. She suggested an additional option to not allow any signs above a height of 40 feet.

Lighted signs should contain a dimming controller (Section 34.10.A.4)

Commissioner Cole asked if a provision that gives the County Manager the authority ask the property owner to turn down the dimming controller for signs below 40 feet as a condition of special exception approval, similar to how rooftop signs are currently treated, would need to be advertised in order for it to be considered in July, to which Ms. Albert responded yes.

Incidental Signs in R districts and for one- and two-family uses in all districts (Section 34.5.D)

The general standards of this section prohibit separate lighting for certain signs, including signs in residential zoning districts. Commissioner Savela noted that in her conversations with EMT personnel their staff would prefer that street address signs be lit so that they can be easily identified at night. She questioned the rationale for this provision. Ms. Albert referred to subsection A.2, Lighting, of this same section that references the use of porch lights or other lights serving another purpose, to which Commissioner Savela responded that porch lights do not always provide the necessary brightness to assist emergency personnel and should be included in the proposed amendment in order for it to be considered.

Nonconforming Signs (Section 34.16.C.1(c))

Commissioner Fallon referred to a technical question made by one of the public speakers, Mr. Peskin, regarding the approximately 10-year period, through January 1, 2013, in which nonconforming signs relating to luminance level would be allowed. Ms. Albert responded that the 10-year amortization period would allow existing signs to come into conformance with the lighting standards over a period of ten years. There are also provisions in the ordinance for nonconforming signs that limit what one can do on a property that includes nonconforming signs. However, the question is, during the 10-year period in which the lighting does not have to conform, would all other signs on the property be restricted. Since this is not the intent of the proposed provisions, staff agreed to reconsider the language to clarify the intent.

Planning Commission Motion

Commissioner Cole moved that the Planning Commission recommend that the County Board adopt the resolution attached to the staff report 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 (Appendix A), 31A and 34 of the Arlington County Zoning Ordinance to revise sign regulations, as shown in Attachments B and C, with the following additions:

1. Section 34.3, Modifications
 - a. Amend §34.3 to add a provision that provides for relevant civic association review of proposed modifications
 - b. Amend §34.3 to expand allowable modifications to include authority for the County Board to approve:
 - 1) Innovative elements of a sign that would not be allowed under current rules as long as the exception would not affect standards related to number, size, aggregate area, height, changeable copy, lighting, distance from residential zones, and directional restrictions. In addition, any amendment should include concurrent County Board approval of an amendment to §34 to allow other similarly situated entities to display signs similar to the one approved under special exception
 - 2) Jumbotrons only in Metro station areas and only if the County Board finds such a sign would not adversely affect the public health, safety and welfare
2. Section 34.7, Signs in C, M, mixed use districts (RA4.8, R-C, RA-H-3.2, MU-VS) and public districts (S-3A, PS, S-D) (excluding one- and two-family town house uses)
 - a. Remove from §34.7 all references related to public districts (S-3a, PS, and S-D)
 - b. Amend §34 to add a new, focused subsection detailing the regulation of signs in public districts (S-3a, PS, and S-D)
3. Section 34.7.O, Additional sign area above a height of 40 feet for specified uses
 - a. Provide an option to amend §34 to eliminate §34.7.O
 - b. Amend §34.7.O.2.e to provide options to require that all signs above 40 feet facing residential districts be turned off after 8:00 p.m. or, alternatively, after 10:00 p.m.
 - c. Amend §34.7.O. 3(b) to provide an option for roofline signs of hotels to remain illuminated at all times.
4. Section 34.4.E, Sign prohibited in all districts
Section 34.9.C.2, Location
Section 34.9.C.5.a, Political Signs
Section 34.9.C.5.b, Seven-day signs
 - a. Amend §34.4.E by striking “utility pole” in line 112
 - b. Amend §34.5.C.2 by striking “utility pole” in line 345
 - c. Amend §34.5.C.5.a to include under “timing” in the chart presented, “and up to 31 days before a party nominating caucus called by a political party registered in the state of Virginia.”
 - d. Amend §34.5.C.5.b under “maximum size: to provide an option for a sign located on a utility pole to be no larger than 8.5” x 11” and that signs as large as 4.5 feet may be place in other allowable locations

- e. Amend §34.5.C.5.b under “location” to provide an option for posting these signs on utility poles
5. Amend §34.16, Nonconforming signs, to 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.
6. Amend §34.14 to allow temporary signs to be placed only below a height of 40 feet.
7. Amend §34.10.A (illumination standards for lighted signs) to 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.

Commissioner Fallon seconded the motion.

Commissioner Forinash asked for unanimous consent to amend the motion to recommend that in recommended addition #4 the section of the proposed ordinance referenced in bullets d. and e. be corrected and changed from §34.5.C.5.b. to §34.9.C.5.b. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Fallon asked for unanimous consent to amend the motion to recommend that the preamble of the motion reference the date of the staff report as follows, “*attached to the staff report dated May 25, 2012*”. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Fallon asked for unanimous consent to amend the motion to recommend that in areas of possible misstatement of code sections that the intent of the language be pursued. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Savela asked for unanimous consent to amend the motion to recommend that the RTA include the option to replace the references to the George Washington Memorial Parkway, the Monumental Core, and Arlington Cemetery with a reference to Areas I and II of the “Memorial Core”, with expansion if necessary to include the 9/11 Pentagon Memorial and the United States Air Force Memorial, and to further prohibit the grandfathering of existing rights for signage that violate those areas. There was an objection. Commissioner Savela moved that the Planning Commission recommend that the RTA include an option to replace the references to the George Washington Memorial Parkway, the Monumental Core, and Arlington Cemetery with a reference to Areas I and II of the “Memorial Core” as established by Congress in the Commemorative Works Act of 1986, as referenced in the Department of Interior NPS letter, and with expansion to include the 9/11 Pentagon Memorial and the United States Air Force Memorial. Commissioner Ciotti seconded the motion.

Commissioner Savela explained that her intent was to make certain that Line B (the pink line) of Map 34-1 and the reference to federal lands was expanded to include those areas recommended by the NPS for inclusion, since the Planning Commission did not receive a copy of the letter that was referenced to identify included areas. This would at least provide the County the option to consider expansion to include those areas.

Commissioner Forinash, while he agreed with the sentiment of Commissioner Savela’s motion, noted that his objection was based on two points. 1) The definition of Area II is not clear in the NPS

letter. 2) It is not clear if the NPS is proposing that all buildings facing Areas I or II should be free from the intrusion of signage as indicated in the first bullet on the first page of the letter, or if the NPS is proposing that only Area I be protected which seems to be the intent of the first paragraph on the second page of the letter. Commissioner Savela responded that by being as expansive as possible in the RTA, it provides the opportunity to narrow the provisions later in July.

Commissioner Cole commented that he wanted to make sure that the intent of Commissioner Savela's motion was to not remove Arlington Cemetery from protection, because it may not be included in the definition of Areas I or II. In his opinion it is not clear whether the Cemetery is included or not, because the map indicates that Arlington House is part of Area II and if Arlington House is protected then, by de facto, the Cemetery is included. He indicated that he would seek unanimous consent for its inclusion after the vote on Commissioner Savela's motion.

The Commission voted 11-0 to support the amended motion. The amendment was incorporated into the main motion. Commissioners Ciotti, Cole, Fallon, Forinash, Harner, Iacomini, Klein, Kumm, Malis, Savela, and Serie supported the amended motion.

Commissioner Cole asked for unanimous consent to amend the motion to recommend that the just adopted motion add to the protected areas the Arlington National Cemetery and all of its parts. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Forinash asked for unanimous consent to amend the motion to recommend that the preamble of the motion also include reference to Section 37.F, which is referenced in Section 34.18 of the amended ordinance. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Malis asked for unanimous consent to amend the motion to recommend that illuminated signs under a height of 40 feet facing "R" and "RA" districts may be illuminated at the maximum allowable level for "R" and "RA" districts and must be turned off by 10:00 pm. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Malis asked for unanimous consent to amend the motion to recommend that the approval of the parking signage amendment to the FBC sign regulations be deferred until the ordinance language can be reviewed by the FBCWG and ZOCO. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Savela asked for unanimous consent to amend the motion to recommend that staff modify the RTA to permit in all zoning districts, regardless of other lighting restrictions, the ability of property owners or tenants to have one lighted sign for the sole purpose of lighting the street address to ensure adequate emergency response. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Iacomini asked for unanimous consent to amend the motion to recommend that in recommended addition #2 that additional language be added at the end of bullet b. as follows, "*and/or for uses found in such districts that are actually located in "R" zones*". There was no objection, so the amendment was incorporated into the main motion.

Commissioner Kumm asked for unanimous consent to amend the motion to recommend that in Section 34.7.O an option be added to allow only one additional wall sign above a height of 40 feet. There was no objection, so the amendment was incorporated into the main motion.

Commissioner Cole expressed his gratitude to his colleagues and staff for the many months that they have worked on the proposed amendment to the sign ordinance.

Commissioner Savela thanked Commissioner Cole for his very hard work and helping the Commission work through this very complicated ordinance. She hoped that the additions to the RTA that the Commission requested will be treated such that they suggest how the Commission is leaning in some cases and that they will not be ignored or deemed too late for the process, as some of the additions were raised and supported by attendees at the many meetings held over several months and therefore are not being brought to the table late in the process.

The Commission voted 11-0 to support the amended motion. Commissioners Ciotti, Cole, Fallon, Forinash, Harner, Iacomini, Klein, Kumm, Malis, Savela, and Serie supported the amended motion.

Respectfully Submitted,
Arlington County Planning Commission

A handwritten signature in black ink, appearing to read "Brian Harner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian Harner
Planning Commission Vice-Chair

Report of the Zoning Committee
Proposed Arlington County Zoning Ordinance ((ACZO) Amendment
Section 20 (Appendix A): CP-FBC, Columbia Pike Form-Based Code
Sections 31A: Historical Preservation Districts
Section34: Nameplates, Signs, or Other Displays or Devices to Direct, Identify and Inform
Steve Cole – ZOCO Chair

Since its first meeting to review the proposed sign ordinance amendment, the Zoning Committee (ZOCO) has met on more than 20 occasions to review and discuss individual subsections of the proposal. Over the months staff has made great strides to craft a proposed amendment with options for consideration by the County Board that reflects the interests of the broader community. Only a relatively small number of issues remain where views may differ. The issues discussed below are those reviewed by ZOCO where the addition of options to the amendment proposed for advertisement may benefit the County Board.

Issues where the policy options presented in the proposed amendment appear to be sufficient for County Board consideration but where the Planning Commission may propose a policy conclusion different from those presented are not discussed here. All issues in the proposed amendment will be discussed at the July Planning Commission meeting at which time the Commission may wish to make policy-specific recommendations to the County Board.

1. MODIFICATIONS [§34.3]

Proposed Amendment. Under §34.3.A, the proposed amendment, the County Board would be able to approve the following special exceptions to the requirements and standards that would otherwise be established under the sign ordinance amendment as part of a request by an applicant under a comprehensive sign plan if it finds that the exceptions are “in keeping with the character of the neighborhood and will not adversely impact the neighborhood in which the sign is located”:

1. Sign area may be reallocated among sign types so that one sign per building could exceed the proposed size constraint for that type of sign so long as other signs in the comprehensive sign plan are reduced by an equal amount and does not adversely affect adjacent residential properties.
2. Exceptions to placement requirements could be made where topography or lot configuration significantly limit placement or effectiveness of signs when a building or its main or tenant entrances are not visible to pedestrians; the surrounding street network limits visibility of signs, or a building has frontage on a plaza or pedestrian pathway where signs would not otherwise be allowed.
3. Where expressed authority exists in §34.7.O.3, the Board could approve requests for exceptions to hours of illumination.

In addition, staff proposes that the County Board would not, under any circumstances, be able to approve:

1. A sign type or characteristic explicitly prohibited under §34.4
2. Illumination exceeding standards established under §34.10
3. Hours of illumination unless expressly permitted under §34.7.O.3
4. A sign type not expressly permitted under §34.5 - §34.7, §34.8 and §34.14
5. Greater aggregate sign area than allowed under §34.13.F

Finally, the proposed amendment would not provide for variances by the Zoning Appeals Board under §36.3.

Issues. Under current practice and policy, the County Board may modify most standards and requirements of the current §34 if part of a comprehensive sign plan. The proposal eliminates most County Board discretion. Some proponents of greater Board discretion argue that it fosters creativity, a lively environment, and allows for consideration of technologies not now possible. Other proponents argue that allowing for Board consideration provides appropriate opportunity for community input. Some opponents of Board discretion argue that it lends itself to arbitrariness and unequal application of the ordinance and increases the risk that the County could be subject to litigation. Others argue that County Board decisions eliminate predictability and conformity to established standards.

ZOCO Discussion. ZOCO discussed this issue at its May 2 meeting. At the meeting Commissioners made several suggestions:

- Require civic association approval and/or review of proposed modifications
- Provide for a broad special exception process
- expand allowable modifications to include authority for the County Board to approve:
 - innovative elements of a sign that would not be allowed under current rules as long as the exception would not affect standards related to number, size, aggregate area, height, changeable copy, lighting, distance from residential zones, and directional restrictions. In addition, any amendment include concurrent County Board approval of an amendment to §34 to allow other entities to display signs similar to the one approved under special exception
 - Jumbotrons only in Metro station areas and only if it finds such a sign would not adversely affect the public health, safety and welfare

2. GROUPING OF PUBLIC DISTRICTS WITH COMMERCIAL, INDUSTRIAL AND MIXED-USED DISTRICTS [Section 34.7] OR ALLOWING INSTITUTIONAL USES IN THESE ZONING DISTRICTS TO BE REGULATED UNDER SECTION 34.8

Proposed Amendment. The proposed amendment would group public zoning districts – S-3A, PS, and S-D – with commercial, industrial and mixed-use zoning districts. It is also proposed that institutional uses – e.g., schools, churches, community centers, hospitals, institutional homes, or other public or semi-public uses – have the option of signage related to this use regulated under §34.8, which provides additional flexibility but also excludes some signage choices otherwise available in the uses’ zoning districts.

Issues. By their nature, uses in public use zoning districts – primarily schools, parks, and fire stations – have very different signage requirements than uses in commercial, industrial and mixed-use districts. In addition, most public use zoning districts are adjacent to or islands within residential zoning districts and proposed signage for these districts may not be appropriate directly adjacent to R or RA zoning districts. Finally, schools and parks in particular seem to have signage needs that are more expansive and/or simply different from signage needs of most other public or semi-public uses (e.g., scoreboards).

ZOCO Discussion. ZOCO discussed this issue at its May 2 meeting. There was a clear consensus that public zones differ in important ways from commercial, industrial and mixed-use zones. There was also general agreement that signage in public zoning districts should be subject to separate and different standards from signage in commercial, industrial and mixed-use zones intended to support private businesses.

3. HOURS OF ILLUMINATION/PLACEMENT OF SIGNS ABOVE 40 FEET [SECTION 34.7.O]

Signs facing R and RA zoning districts

Proposed Amendment. One general rule and two options are proposed:

General Rule: No signs placed above 40 feet may be lighted between 12:00 a.m., midnight, and 8:00 a.m.

Option A: Permits lighted signs above 40 feet to be placed only on building facades perpendicular or facing away from R and RA zoning districts as defined by Line A on Map 34-1 or on facades facing Line A when the building's façade is substantially blocked from view from R and RA zoning districts by another building or structure of equal or greater height.

Option B: Prohibits lighting of signs above 40 feet and within 200 feet of an R or RA zoning district between 10:00 p.m. and 8:00 a.m. Prohibits lighting of signs above 40 feet and within 200 feet of a multifamily building in any zoning district between 10:00 p.m. and 8:00 a.m. In both of these cases, the County Board may adjust hours.

Issues. Option A: Does not restrict hours an allowable sign may be lighted beyond those established in the general rule. These restrictions may be too limited. In addition, homes and apartments in residential districts may be adversely affected by signs on perpendicular facades.

Option B: Not clear that the 200-foot restriction is sufficient.

ZOCO Discussion: ZOCO discussed this issue at its May 16 meeting. One Commissioner noted that the issue of lighted signs at the roofline would be made moot if the County Board adopted a policy of no signs above 40 feet. While some Commissioners have expressed support for prohibiting signage above 40 feet, as is the current policy in both Washington, D.C. and San Francisco, assuming signs above 40 feet are allowed in some circumstances, Commissioners expressed a range of views on the issue of lighting.

- Some Commissioners expressed a general preference that signs above 40 feet not be lighted at any time.
- Some Commissioners support lighting of some signs above 40 feet and prefer that they not be lighted after 10:00 p.m. Others indicated support for turning off illumination at 8:00 p.m. There was general consensus that, if signs are allowed to be lighted but must be turned off after 10:00 p.m., consideration should be given to exempting hotels from this requirement.

4. NONCOMMERCIAL TEMPORARY SIGNS IN THE PUBLIC RIGHT OF WAY OR ON PUBLIC PROPERTY [Section 34.9]. IMPERMISSIBLE LOCATIONS FOR POSTING SIGNS [SECTION 34.4.E]

Proposed Amendment. The proposed amendment provides for three noncommercial temporary sign types that may be placed in the public right-of-way or on other public property, including:

- directional commercial temporary signs – may be placed on within 0.5 miles of the activity in landscape and utility strips or in the median at an intersection; may be up to 1.5 sq. ft. in area and three feet tall; may be installed only from sundown on a Friday until sundown on the immediately succeeding Sunday or Monday holiday. No more than one sign for an activity may be placed at any intersection.
- political signs – may be placed only in the median strip, may be up to 4.5 sq. ft. in area and 4 feet tall; may be installed up to 31 days before an election and shall be removed within five days after the election. No more than two signs for a candidate or issue may be placed in a median strip.
- seven-day signs – may be placed only in landscape and utility strips or in the median for any event, group, candidate, issue, or other entity; may be up to 4.5 sq. ft. in area and three feet tall; may be placed only for a period of seven consecutive days.

Issues. Temporary personal signs can be related to events or other personal needs – e.g., lost pet or jewelry – that often do not coincide with weekends or holidays. Some events, such as estate or yard sales, often commence on Fridays or occur on other days of the week. These signs are commonly posted in locations in neighborhoods along sidewalks at eye level. It is unlikely that these kinds of signs will no cease to be posted even if an adopted amendment would continue to make them illegal. Moreover, some believe that signs like these reflect the human nature of neighborhoods, encourage connections that many people value and contribute to making our community more livable.

Temporary signs are currently most commonly posted on utility poles. They are also posted occasionally on trees and public fences. It is unlikely that the proposed amendment will end this practice. Making this kind of action illegal may not be sensible.

In the staff report accompanying the draft amendment, it is noted that political signs related party caucuses rather than official elections can be accommodated under the limitations on seven-day signs. This may impose a significant burden on political candidates seeking caucus endorsements by requiring them to remove/move each sign posted throughout the County at the end of each seven-day period.

ZOCO Discussion: These issues were discussed at the May 2 ZOCO meeting. There was general consensus that the proposed amendment accommodates temporary person signs. Seven-day signs are well-intended, but because they must be posted in median strips (which many neighborhoods do not have) or utility and planting strips (which many streets do not have or which are not clearly identifiable) they may not meet some of the needs of some Arlington citizens under a limited but important range of circumstances. There was general consensus among Commissioners that signs of 8.5" and 11" in size be legal and allowed to be posted as they are today on utility poles.

With respect to seven-day signs posted by candidates for nominations in party caucuses, there was general consensus that the seven-day sign limitations were onerous and that the 31-day provision for temporary political signs be expanded to accommodate party caucuses.

5. GRANDFATHERING [SECTION 34.15.B, SECTION 34.16.D]

Proposed Amendment. Under §34.15.B of the proposed amendment existing signage, including illuminated signage, could be maintained, repainted or refaced. This allows building owners to change the name or message on an illuminated sign when tenants change or new building owners to change the name on signs installed by previous owners. The proposed amendment also requires that any changes to existing signage other than maintenance and refacing move the signage on a building or project to be in greater compliance with §34 of the Zoning Ordinance as amended.

Under §34.16.D of the proposed amendment, signs installed as part of a comprehensive sign plan approved prior to adoption of the proposed amendment would be treated as conforming to the ordinance except that they must come into compliance with any established luminance standard by January 1, 2023; a property owner may replace signs approved under a previously approved comprehensive sign plan with signs approved by the Zoning Administrator and conforming to §34 as amended; and the Zoning Administrator may approve amendments to a previously approved comprehensive sign plan that allows replacement of nonconforming signs of no greater size or number, that fully comply with §34.

Issues. The proposed sign ordinance amendment outlines a vision for (1) the role that signage will play in the appearance of the County (2) the way that Arlingtonians will experience their community and neighborhoods and (3) the way that visitors will perceive Arlington. This proposal would allow existing signage to be replaced in perpetuity, under limited conditions, even though the proposed amendment would prohibit similar signage from being installed. As a result, the achievement of an environment envisioned in the proposed amendment might never be realized. Should the County Board determine that it wishes to restrict the directions that signs may face, the distance they must be from residential neighborhoods or the conditions that they must meet, such as hours of illumination, older signage could avoid complying with new requirements simply by retaining existing sizes, lighting and other attributes.

ZOCO Discussion. There was a general consensus among Commissioners that signs at the roofline of tall buildings not be grandfathered so that over time they meet the same standards and contribute to vision for signage in the County in the same way as new signs.

**Preliminary Motion
Request to Advertise
Proposed Arlington County Zoning Ordinance ((ACZO) Amendment
Section 20 (Appendix A): CP-FBC, Columbia Pike Form-Based Code
Sections 31A: Historical Preservation Districts
Section34: Nameplates, Signs, or Other Displays or Devices to Direct, Identify and Inform**

Move that the Arlington County Board adopt the resolution attached to the staff report 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 (Appendix A), 31A and 34 of the Arlington County Zoning Ordinance to revise sign regulations, as shown in Attachments B and C, with the following additions:

1. Section 34.3, Modifications

- Amend §34.3 to add a provision that provides for relevant civic association review of proposed modifications
- Amend §34.3 to expand allowable modifications to include authority for the County Board to approve:
 - innovative elements of a sign that would not be allowed under current rules as long as the exception would not affect standards related to number, size, aggregate area, height, changeable copy, lighting, distance from residential zones, and directional restrictions. In addition, any amendment include concurrent County Board approval of an amendment to §34 to allow other entities to display signs similar to the one approved under special exception
 - Jumbotrons only in Metro station areas and only if it finds such a sign would not adversely affect the public health, safety and welfare

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

- Remove from §34.7 all references related to public districts (S-3a, PS, and S-D)
- Amend §34 to add a new, focused subsection detailing the regulation of signs in public districts (S-3a, PS, and S-D)

3. Section 34.7.O, Additional sign area above a height of 40 feet for specified uses

- Provide an option to amend §34 to eliminate §34.7.O
- Amend §34.7.O.2.e to provide options to require that all signs above 40 feet facing residential districts be turned off after 8:00 p.m. or, alternatively, after 10:00 p.m.
- Amend §34.7.O.2.3 to provide an option for roofline signs of hotels to remain illuminated at all times.

4. Section 34.4.E, Sign prohibited in all districts

Section 34.9.C.2, Location

Section 34.9.C.5.a, Political Signs

Section 34.9.C.5.b, Seven-day signs

- Amend §34.4.E by striking “utility pole” in line 112
- Amend §34.5.C.2 by striking “utility pole” in line 345
- Amend §34.5.C.5.a to include under “timing” in the chart presented, “and up to 31 days before a party nominating caucus called by a political party registered in the state of Virginia.”
- Amend §34.5.C.5.b under “maximum size: to provide an option for a sign located on a utility pole to be no larger than 8.5” x 11” and that signs as large as 4.5 feet may be placed in other allowable locations
- Amend §34.5.C.5.b under “location” to provide an option for posting these signs on utility poles

5. Section 34.16, Nonconforming signs

- Amend §34.16 to 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 the subject building.



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO

MAY 31 2012

Mary Hughes Hynes, Chair
Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, Virginia 22201

Dear Chairman Hynes:

The Arlington County Board will soon be reviewing a proposal to amend Section 34 of the Arlington County zoning ordinance, setting standards for signage in the county. The National Park Service is deeply concerned with some aspects of the proposed amendments and the potential impacts these proposed changes may have on the important vistas from areas of the National Mall and Memorial Parks and George Washington Memorial Parkway. These scenic vistas are enjoyed by all Americans and are a valuable legacy for future generations. Decisions made by Arlington County today have and will continue to directly affect visitors from across the country to national parks and our nation's most sacred national cemetery for years to come.

For these reasons, we urge the Board to consider and include language in the amendment as follows:

- Prohibit all permanent and temporary signage and/or other such form of advertisement or corporate identification above 35 feet from ground level on buildings that face Area I or Area II of the "Memorial Core" as established by Congress on the Commemorative Works Act of 1986 (PL 99-652).
- Prohibit the "grandfathering" of existing rights for signage above 35 feet facing the Memorial Core.

One need look no further than the existing "BAE Systems" sign in Rosslyn for an example of an existing sign with a significant negative impact on important viewsheds. This advertising sign looms over the U.S. Marine Corps Memorial and Arlington National Cemetery and substantially degrades the sanctity of the memorial and the cemetery. We do not want future memories and family photographs made by visitors to the Lincoln Memorial, Jefferson Memorial and Arlington National Cemetery to include an even greater background of advertising signs when this can be prevented by the actions of the Arlington County Board.

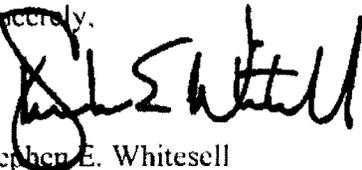
Arlington County has a rich history of taking of steps to protect the integrity of some of the nation's most important places, including Arlington House. With the proposed sign ordinance amendment, the county board has the opportunity to further this preservation legacy. We recommend that the code reference "Area I", which was established by the Commemorative

Works Act of 1986 (PL 99-652) to protect the memorial core of Washington. (Please see the enclosed map.) While the main thrust of this law was to limit new commemorative works, the law defined Area I as the area requiring special protection. Restricting signage based on these criteria would be a simple means of protecting these sites of great national importance using criteria developed by the Congress for a similar purpose.

Arlington County was named for a site of national significance, now preserved for posterity as part of the National Park System. Americans and our visitors from around the world expect views from the Arlington House, Robert E. Lee Memorial, Lincoln Memorial, Jefferson Memorial and the Arlington National Cemetery will be preserved, intact, for future generations. We hope the County will help us in this mission.

We appreciate your consideration of these comments, as well as those made by Associate Regional Director Peter May on this issue in September 2011. (Please see the enclosed letter.) If you have any questions, please contact me or Ranger Ben Helwig, George Washington Memorial Parkway at (703) 289-2515.

Sincerely,



Stephen E. Whitesell
Regional Director

Enclosures

cc:

J. Walter Tejada, Vice-Chair, Arlington County Board
Christopher Zimmerman, Member, Arlington County Board
Jay Fisette, Member, Arlington County Board
Libby Garvey, Arlington County Board
Stephen Sockwell, Chair, Arlington County Planning Commission
Steve Cole, Chair, Zoning Committee, Arlington County Planning Commission

RECEIVED OFFICE OF THE
COUNTY MANAGER
ARLINGTON VIRGINIA
MONDAY
PROPERTY #8 P 5:07
2012 MAY 18

May 11, 2012

Ms. Mary Hynes
Chair, Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, Virginia 22201

Re: Sign Ordinance Update

Dear Mary,

As the owner of over three million square feet of space in Arlington County, I have been keenly aware of the County's undertaking to revise the Sign Ordinance. I would like to thank Deborah Albert and the other staff members for their tremendous effort and extensive public outreach they have contributed to this challenging effort. Staff has been open to meeting with industry groups and professionally considered public suggestions throughout the drafting process. In light of the Board's upcoming consideration of the revised Ordinance and on behalf of Monday Properties, I would like to share my thoughts regarding the proposed revisions.

While we understand that the proposed revisions are still subject to further review, we would like to identify several issues that have remained unchanged despite suggestions by commercial property owners. My comments are based on the most recent draft of the proposed sign ordinance dated April 20, 2012. It is my belief that some of the proposed revisions would significantly harm Arlington's competitive advantages and economic success. Monday Properties portfolio includes prominent office buildings such as 1000 Wilson, 1100 Wilson, 1101 Wilson and 1812 North Moore. Our principal concerns are related to the amount and location of rooftop signage in commercial and mixed-use zoning districts and the need for a special exception process.

While Monday Properties generally supports staff's recommendation for a graduated sign area allowance based on building height and the width of building façade, we firmly believe that buildings above 300 feet in height should also be allocated additional sign area under the same graduated approach. Under the current version of the revised Ordinance, buildings at or below 300 feet are allocated additional sign area. This additional sign area helps to address the conflicting signage needs of retail tenants and the ability to accommodate a major tenant who demands rooftop signage. However, buildings above 300 feet are not allocated additional sign area and these are the buildings

1000 Wilson Boulevard
Suite 700
Arlington, VA 22209
tel 703 284 0200
fax 703 524 7667
www.mondayre.com

ideally situated to lease to major tenants who want rooftop signage. The proposed Ordinance would undermine the ability to provide both adequate retail and rooftop signage. Accordingly, we propose that the same graduated factor (1.5) proposed for buildings 201-300 feet tall be used for buildings over 300 feet in height. Well-designed signage, in conjunction with world-class architecture are the hallmarks of place-making.

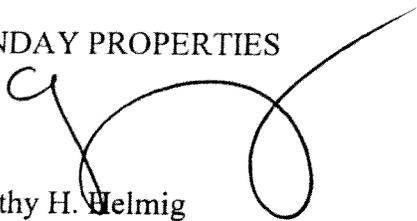
Another issue related to rooftop signage regardless of building height is the direction which such signage be permitted to face. Monday Properties believes it is vital that lighted rooftop signs be allowed to face Interstate 66, the George Washington Parkway and areas to the east (including the monumental core and Arlington Cemetery). Monday Properties is supportive of restrictions on lighted signs during the night time hours (midnight and 8 am). However, a total prohibition on lighted rooftop signage facing the above locations, an alternative proposed by staff, would effectively ban all rooftop signage in Rosslyn and eliminate one of Arlington's key competitive advantages. We are in difficult economic times and we cannot constrain Rosslyn's competitiveness. Iconic rooftop signage is a prerequisite to attract corporate users and we are often told this is one of the significant reasons a business chooses to relocate to Rosslyn. In short, the marketplace demands that we provide our commercial tenants with a myriad of options for the location of their rooftop signage.

Finally, I would encourage that the Board maintain the ability to approve special exceptions related to signage. Although Monday Properties is in support and realizes the benefits of a largely administrative process, a narrowly crafted special exception process is necessary to offer flexibility when an innovative or unique signage proposal is presented. A special exception process relieves the pressure to draft a sign ordinance that will meet unforeseen circumstances as technology evolves and offer the community review and discourse that is fundamental to the "Arlington Way." The modifications proposed by staff are inadequate to meet these objectives. The County Board must retain the ability to consider and approve a limited number of special exceptions related to signage.

Please feel free to give me a call if you have any questions or would like to further discuss our concerns relating to the pending revision of the sign ordinance. I thank you for your consideration.

Best regards,

MONDAY PROPERTIES

A handwritten signature in black ink, appearing to read 'Timothy H. Helmig', with a long, sweeping flourish extending to the right.

Timothy H. Helmig
Executive Vice President,
Chief Development Officer

CC: J. Walter Tejada, Vice-Chair, Arlington County Board
Jay Fisette, Member, Arlington County Board
Libby Garvey, Member, Arlington County Board
Christopher Zimmerman, Member Arlington County Board
Barbara Donnellan, Arlington County
Deborah Albert, Arlington County
Terry Holzheimer, Arlington Economic Development

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April 18, 2012

Chair Mary Hughes Hynes
Arlington County Board
2100 Clarendon Boulevard, Suite 300
Arlington, VA 22201

Re: Sign Regulations Update, Lighted Signs Above 40 Feet

Dear Chair Hynes,

I have been actively following the sign regulation updates currently being developed by Arlington's planning staff and I would like to share my thoughts regarding the proposed revisions to sign regulations regarding lighted signs above 40 feet.

First and foremost, I would like to thank Bob Brosnan, Deborah Albert and the other staff members for their professional and considerate approach in considering these revisions. In particular, Ms. Albert's multiple presentations to NAIOP/NVBIA have fully demonstrated the thoughtfulness of the work she has done and her desire to incorporate feedback from stakeholders.

Secondly, I would like to communicate my concerns about some of the proposed changes. I believe some of the proposals are unduly restrictive and have the potential to limit Arlington's continued success as a dynamic and vibrant economy.

1. JBG supports the proposed graduated sign area allowance, based on building height and width of building façade. However, we believe buildings above 300 feet in height should also have additional sign area allowance based on building height and width of building façade. We would recommend that the factor used to multiply the width of the building façade for buildings over 300 feet in height should be 1.5, which is the same factor proposed for buildings 201-300 feet tall. As we consider our ability to attract leading companies and institutions to projects such as Central Place and Rosslyn Gateway, we strongly believe appropriately sized rooftop signage will be a key leasing component for Arlington as it competes with lower cost (but now metro served) locations such as Tysons, Reston and Herndon.
2. As currently proposed, such signage area would be allocated only to commercial buildings greater than 70 feet in height. We believe that residential buildings also benefit from beautiful and iconic signage and believe this regulation should apply to all buildings greater than 70 feet in height.
3. As currently proposed, sign lettering is limited to 6 feet in height. JBG believes the height of the signage band and lettering should be proportionate to the height of the building and should allow for lettering heights of up to 10 feet for buildings above 300 feet in height. We believe

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- such lettering height is proportionate for taller buildings and is critical to ensure legibility and visibility.
4. For signs "Facing Federal Lands," JBG supports the proposed night time lighting restrictions between midnight and 8:00 AM but does not support the prohibition or further restriction of signs facing the monumental core, George Washington Parkway or Arlington Cemetery. For Rosslyn, one of Arlington's key economic hubs, this regulation would effectively prohibit all signage and eliminate one of Arlington's core competitive advantages. As the George Washington Parkway wraps the perimeter of Rosslyn, the most restrictive of these proposals would have prohibited signage for Corporate Executive Board and Deloitte. These companies, two of Arlington County's top 10 private employers, typify the creative, intellectual workforce Arlington wants to continue to attract.
 5. JBG supports the proposed night time lighting restrictions between midnight and 8:00 AM as well as the additional lighting restrictions for signs facing single family "R" districts. However, JBG does not support additional restrictions on signs facing residential uses within multifamily and mixed use districts. As a long term supporter and investor in Arlington's mixed-use urban development JBG is committed to bringing additional residential uses to office districts such as Rosslyn. Both JBG's Central Place and Gateway projects will bring new residential uses within 200 feet of existing and proposed office buildings. We believe part of the attraction of these buildings will be the vibrant, urban nature of Rosslyn. As such, we do not believe additional restrictions on sign lighting for neighboring office buildings are appropriate.

Lastly, I would like to note that I believe signage is an extremely valuable and important component of Arlington's continued economic success and I would like to share some of our thoughts on why we believe the Board should be generally supportive of signage.

1. **Signs Communicate Arlington's Success.** Arlington County is a national leader in Smart Growth development and is a vibrant, vital and growing economy. Arlington's success has attracted leading companies, universities and institutions to locate here. Prominent signage that is visible from regional highways and downtown Washington DC communicates this success on a regional and national stage and reinforces Arlington County's public image as an attractive location to live, work and play.
2. **Prominence and Proximity to Washington, DC is a Strategic Asset for Arlington County.** One of the key differentiating factors Arlington has in competing with lower cost locations such as Fairfax and other suburban and exurban locations is its proximity to and visibility from Washington DC. With the arrival of the Silver Line, there will be an increased supply of transit oriented office space for companies and institutions to choose from. However, one thing Fairfax cannot replicate is Arlington's close proximity to and visibility from Washington DC. Further restricting or prohibiting prominent signage will eliminate this key competitive strength and unnecessarily handicap us in attracting top institutions to locate in Arlington. This is particularly

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important as Arlington seeks to diversify its employment base away from the federal government by attracting top private sector employers. These institutions value prominent signage as a way to give them a regional and national presence. For example, we know from our experience that Waterview's prominent signage with visibility from Downtown DC was one of the key selling points in attracting two of Arlington's top private sector employers, Deloitte and Corporate Executive Board.

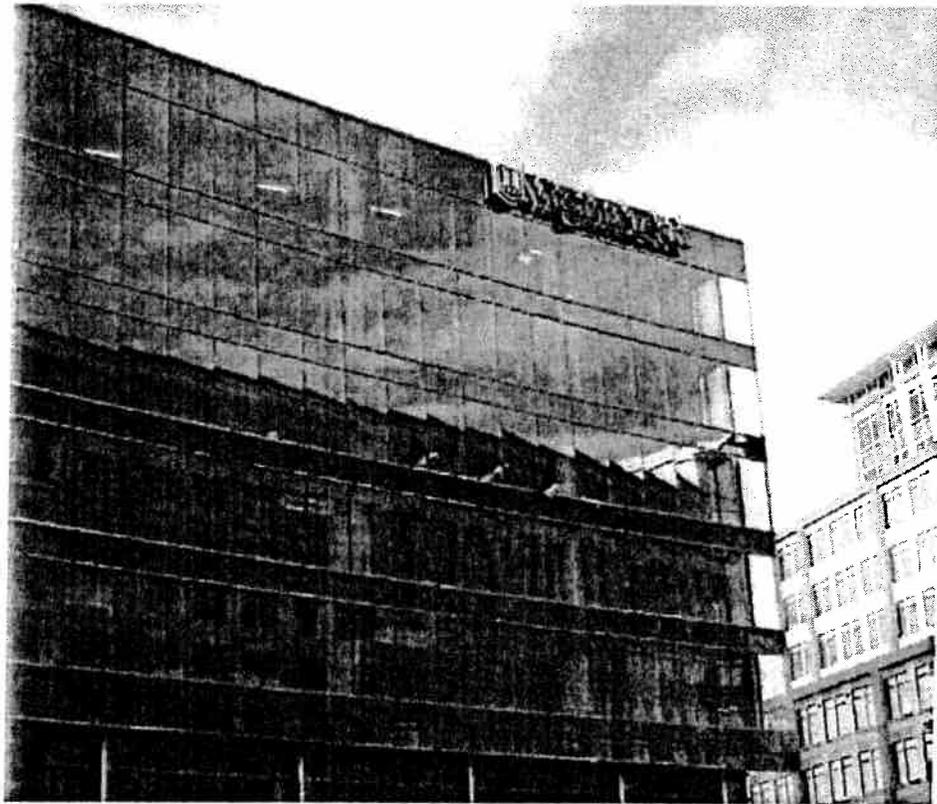


View of Rosslyn from Washington, DC

- 3. Signs Create Value.** In 2012, Arlington commercial properties realized double-digit assessment growth, putting Arlington's commercial tax base at its highest level ever. Commercial properties now account for 49% of the County's real estate tax base. As a long-term investor in Arlington County, JBG knows the additional value that prominent signage can create for a building. Significant restrictions on signage will limit tenant interest and associated market rental rates, which reduces the value of these assets. This asset value reduction will negatively impact the County's commercial tax base.
- 4. Signage Defines Regional Hubs.** As a long term supporter of and investor in Ballston, JBG has experienced firsthand the importance of prominent signage in defining Ballston as a science and technology research hub. For example, JBG recently brought one of the world's leading high tech communications companies on a property tour of our 800 North Glebe property. During the tour, decision makers from the firm noticed the Virginia Tech Research Center signage at the

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neighboring site. This prompted a discussion about the concentration of leading high tech organizations in Ballston and Ballston's unique technology infrastructure including access to National LambdaRail, Internet 2, and multiple federal networks. While this information had already been included in written materials submitted to the company, it was the experience of seeing the signage from the pedestrian street level that really served to define Ballston in their consciousness.



The Virginia Tech Signage at 900 North Glebe helps define Ballston

- 5. Signage is Iconic.** From the MetLife building in New York to Pike Place in Seattle, prominent signage can be iconic and defining for a building and its urban area. JBG takes signage very seriously and typically spends in excess of \$100,000 on signage for our projects. We hire outside signage consultants to help create and define a unique and beautiful signage package for our buildings. We do not want unduly restrictive regulations to prevent us from bringing beautiful and iconic signs to Arlington.

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Met Life Building in New York City



Neon Signage at Pike Place in Seattle

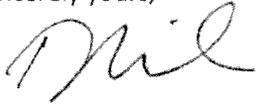


The iconic Peck Chevrolet Signage is memorialized in JBG's 800 North Glebe Project

We appreciate the County's thoughtful consideration of this letter as it develops revisions to its signage regulations. If you have any questions or would like to discuss in greater detail, please feel free to contact me.

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Sincerely yours,



Dean Cinkala

cc: J. Walter Tejada, Vice-Chair, Arlington County Board
Jay Fisette, Member, Arlington County Board
Libby Garvey, Member, Arlington County Board
Christopher Zimmerman, Member, Arlington County Board
Bob Brosnan, Arlington County
Deborah Albert, Arlington County
Terry Holzheimer, Arlington Economic Development
Kathleen Webb, The JBG Companies
Brian Coulter, The JBG Companies
Andy Vanhorn, The JBG Companies
Matt Ginivan, The JBG Companies
John G. Milliken, Venable LLP

Gizele Johnson

From: Steve Cole <cole.arl@gmail.com>
Sent: Saturday, June 02, 2012 6:09 PM
To: Freida Wray; Gizele Johnson
Subject: Fwd: Proposed Sign Ordinance Modifications for your review.

Please distribute to Planning Commissioners for Monday's meeting. Thanks.

Steve

Sent from my iPad

Begin forwarded message:

From: Michael Dowell <mdowell9@gmail.com>
Date: June 2, 2012 12:36:08 PM MST
To: "cole.arl" <cole.arl@gmail.com>
Subject: Proposed Sign Ordinance Modifications for your review.

Hi Steve,

I hope you enjoyed your trip out west. Does your car have A/C?

For your review, below are some proposed modifications for the sign ordinance that we've developed. In addition to Aurora Highlands, the Arlington Ridge CA, Crystal City Resident Representatives, and Cherrydale CA are agreeable to the modifications. I have sent a copy to Larry Mayer for his consideration. The Waverly Hills, Ballston-Virginia Square and Radnor/Ft Myer Heights CAs are reviewing it. I'll try to reach a few more CAs along the RB corridor to get their review.

I appreciate your review and comments,

Mike

Proposed sign ordinance changes.

1. AHCA requests no signs above 40 ft, lighted or unlighted, be allowed that could be viewed, irrespective of viewing angle or legibility, from the residential neighborhoods.
2. AHCA requests no signs above 40 ft, lighted or unlighted, be allowed that could be viewed, irrespective of viewing angle or legibility, from Arlington Cemetery, the Monumental Core or GW Parkway.
3. AHCA supports signs above 40 ft, located within and viewable solely within mixed used areas, on the condition that such signs are approved by the residents of such areas and are subject to mandatory County Board review.
4. AHCA requests that all applications for signs above 40 ft be subject to mandatory County Board review and that all other sign applications be reviewed by the County Board upon the request of an Arlington County resident. To provide a basis for review and decision, the following information must be available at minimum:

- a. Technical details of the sign, including size, luminance, colors, lighting source, and filters, lensing, and other features that may increase visibility or legibility of the sign.
 - b. High-resolution rendering of the proposed sign and dimensioned drawing of sign and proposed location.
 - c. The sign viewshed map, indicating what areas will be able to see the sign, irrespective of whether the sign is legible.
 - d. Estimates of the residential population, current and planned, in the sign viewshed.
 - e. The sign distance from residences within the mixed use area, current and planned.
 - f. Statements regarding the proposed sign, from the affected residents and property owners within the viewshed.
5. AHCA requests the development of a mechanism by which the county can require the removal of existing signs that will be non-conforming under the new ordinance.
6. AHCA requests County Board public review of the ordinance, administration, the enforcement mechanisms, and the impact on the Arlington citizens, businesses and the skyline after a suitable period.

Freida Wray

From: Deborah Albert
Sent: Monday, June 04, 2012 4:00 PM
To: Gizele Johnson
Cc: Freida Wray
Subject: FW: Sign Regulations Update same reply but with an additional name

Gizele - Can you please make sure this letter is included in the letters provided to the Planning Commission tonight. Thanks.

From: Stuart [<mailto:stuandan@comcast.net>]
Sent: Tuesday, March 20, 2012 5:48 PM
To: Deborah Albert
Subject: Re: Sign Regulations Update same reply but with an additional name

Debbie,

Please forward our reply to the planning commissioners.

We have been concerned about the impact of rooftop signs in Rosslyn and the surrounding communities for many years. Our strongest objections are to those signs that face Arlington Cemetery, the Iwo Jima Memorial, the Washington D.C. Monumental Core, the George Washington Parkway, other National Park Service areas, or any residential neighborhoods. We strongly urge you to adopt section 2 c, option v on page 2 of the March 3rd summary: "Signs may not be placed above 40 feet in height", and add the Iwo Jima Memorial to the list of areas where signs over 40 feet are prohibited.

If signs over 40 feet are allowed facing other National Park Areas or residential neighborhoods, they should not be illuminated.

If any buildings are constructed above 300 feet there should be no signs allowed over 40 feet, as was the case with central place and 1812 N. Moore St. The architecture should speak for itself. In fact in order to achieve C-O Rosslyn zoning "superior" architecture is expected. It should not be necessary to use rooftop signs on such buildings.

Thank you for all the work you are doing to improve the sign ordinance.

Sincerely,

Stanley G. Karson

Patricia T. Darneille

Stuart Stein

Signage for Community Events in Parks – A Request from Martha V. Moore



Lyon Village has a parade and picnic every July 4th. People from Lyon Village and other neighborhoods gather at Highland & Key, then march to Edgewood Street, and enter the Lyon Village Park on Highland where they then purchase hot dogs and beverages at the park pavilion and play games. The Police temporarily close some streets for the parade. The Fire Department brings its trucks, which kids climb on. The event is permitted.

The current sign rules prohibit us from placing our signs announcing the time and place on public property. We have learned not to violate this rule: One year, Code Enforcement removed and destroyed an expensive sign placed at Highland & Key. In addition, knowingly placing such signs is a *criminal* misdemeanor about a year ago.

I raised the issue of signage for community events several years ago with the goal of allowing civic associations and others to place their signage in the Arlington public right of way and on Arlington public property, public lands, and public easement areas. I applaud County Staff for making this happen.

However, I am concerned that some of the language in the DRAFT revision to the sign ordinance restricts signage for events at neighborhood parks — and would make it illegal for signs for events such as the July 4th Parade & Picnic to be placed where they need to be to communicate effectively. The natural place for us to announce the event is by a banner on the Lyon Village Park fence along Highland Street. It seems that the wording below would disallow our signage near our local park.

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

280 6. Temporary signs or banners approved by the County as part of and incident to a special
281 event permit and placed in locations established by the County; such signs shall be
282 limited to messages related to the special event and its sponsors and shall be removed
283 within five business days after the end of such event;

284 **7. Signs in parks that relate to the use of the park, provided that such signs shall not be**
285 **legible from any public right-of-way outside the park** and such signs shall bear no
286 commercial message except one that relates to a lawful commercial activity permitted
287 within the park;

288 8. Signs for concessionaires and event sponsors inside stadiums or arenas or at or
289 adjacent to ball fields or other such facilities. **Signs within an outdoor facility, if such**
290 **facility is located 400 feet or more from the nearest right-of-way**, shall be deemed not
291 to be legible from such right-of-way even if they may be visible from some locations
292 outside the facility;

Many neighborhood parks are small and, like Lyon Village Park, could not have a banner or sign on the park fence that would not be legible from a street. In addition, I doubt that our park depth is 400 feet or that the pavilion is 400 feet from Highland. ***I ask that the Planning Commission recommend that the park provisions be revised to enable community events such as those held at Lyon Village Park.***