



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of July 21, 2012

SUPPLEMENTAL REPORT

DATE: July 20, 2012

SUBJECT: ZOA-12-01 Zoning Ordinance amendment to Sections 20, 20 (Appendix A), 31A, 34 and 37 to reorganize the sign regulations in the Arlington County Zoning Ordinance and to amend regulations on amount of sign area, number of signs, distance signs may be placed from residential uses and/or zoning districts, direction signs may face, types of signs allowed and Form Based Code sign regulations.

DISCUSSION: This supplemental report provides staff responses to Planning Commission recommendations from the July 12, 2012 hearing. Additionally, Table 1 summarizes minor changes and clarifications to the proposed amendment attached to the July 13 staff report (Attachment C) recommended by staff. Finally, an attachment to this report provides additional research on practices related to roofline signs and legislative review of signs in a sampling of other jurisdictions across the country.

Planning Commission recommendations. The Planning Commission heard the proposed amendment at its meeting on July 12, 2012 and voted 10-1 to recommend that the County Board adopt the proposed amendment with nine specific changes. The changes recommended by the Planning Commission are discussed below. Staff continues to recommend the proposed amendment attached to the July 13, 2012 staff report, with one change to allow signs at polling places for caucus nominating events.

1. *Prohibit all signs placed above a height of 40 feet.* Signs, particularly signs at the roofline, showcase Arlington's ability to attract leading companies, universities and institutions. However, a changing economy and an increasingly competitive marketplace may hinder Arlington's ability to attract such businesses. The vacancy rate in Arlington's office buildings is rising. Within the last year, countywide vacancy has risen to over 13 percent and over 18 percent in the Crystal City submarket. Forecasts anticipate that vacancy rates will remain elevated over the next 5 – 10 years based on current and predicted economic conditions.

County Manager:

BMD/GA

County Attorney:

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Staff: Deborah Albert, DCPHD, Planning Division

PLA-6231

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Businesses value signs at the roofline as a way to give them a regional, national and global presence as part of their branding. Businesses also value signs for co-tenancy purposes, showcasing clustering that can result in collaboration and innovation. As fifty percent of Arlington's tax base comes from commercial properties comprising approximately 12 percent of its land, it is necessary to ensure that Arlington is competitive and business friendly to retain existing employers as well as to attract new businesses, particularly in this economic climate.

Throughout the public process, staff has met with and heard comments from both residents and the business community. Balancing these two perspectives has been a challenge. The staff proposal recognizes the importance of signs at the roofline to the business community while addressing concerns raised by residents. The proposed amendment provides regulatory standards to allow signs at the roofline in higher density areas and to ensure consistency in application, balanced with restrictions to mitigate impacts on adjacent residential properties and national monuments and landmarks and to prohibit such signs in residential and lower density commercial areas. Staff continues to recommend that signs at the roofline be allowed administratively in commercial corridors in locations not facing residential zoning districts and, in other locations, subject to approval by the County Board where it can be demonstrated that impacts can be mitigated.

2. *Do not include luminance standards in the ordinance.* Illumination standards are included in the ordinance in order to mitigate the impacts of lighted signs, and to provide objective standards by which to measure compliance and respond to complaints. Although various factors can affect the way in which levels of lighting are perceived, luminance limits proposed by staff would utilize objective methodology recommended by the United States Sign Council in their model sign code, thus setting parameters to keep lighting of signs at reasonable levels. A significant focus of discussion during the extensive community outreach process for the proposed amendment included illumination limits, particularly where signs are near or adjacent to residential areas. Proposed limits would ensure that signs within and adjacent to residential neighborhoods are lighted in ways that are sensitive to residential neighbors, while allowing for higher limits in commercial areas where vitality is desired. The city of Pittsburgh incorporates limits similar to those proposed for Arlington, including a 250 cd/m² limit for roofline signs and a requirement that the luminance level be precertified.
3. *Treat all signs previously approved by the County Board (that are not in conformance with ordinance requirements) as nonconforming.* The zoning ordinance places restrictions on nonconforming uses, including signs, designed to discourage the perpetuation of nonconforming uses. However, the County Board has approved over 400 comprehensive sign plans, many allowing signs that are not allowed under the current zoning regulations, and not proposed to be allowed under the proposed amendment. Staff has recommended that the ordinance include language to assure that all signs previously approved by the County Board are treated as conforming signs, in other words, to "grandfather" these signs. The purpose of this language is to continue to allow

signs for which the County Board has previously allowed a modification of regulations, and for which a public review process has already been conducted. Many of the mixed-use buildings in the County, which incorporate many of the County's small businesses, are regulated by comprehensive sign plans approved by the County Board.

Grandfathering of existing comprehensive sign plans is an important factor in retaining flexibility for businesses in updating their signs. The proposed amendment would ensure that changes in tenancy in the County's many mixed-use buildings would not be hindered by the existence of nonconforming signs on other parts of the property. Because the zoning ordinance encourages signs to come into conformance with ordinance requirements by limiting the issuance of new permits on premises where there are nonconforming signs, it would be difficult and expensive for many small businesses to get sign permits in existing buildings if existing County Board approvals were not grandfathered.

4. *Allow seven-day signs in locations other than on the ground.* The proposed amendment introduces seven-day signs in order to expand the noncommercial speech allowed within the public right-of-way. One such sign per entity, person or event would be allowed in each intersection, and could be placed either in the median or on the landscape and utility strip. The Planning Commission recommended that such signs not be required to be affixed to the ground, with the goal of allowing signs on utility poles. However, the sign regulations allow only those signs that are expressly allowed. Signs on utility poles are currently prohibited in order to prevent clutter in the public right-of-way and to ensure that removal of such signs can be enforced if it becomes a problem. While the ordinance can prohibit such signs as part of regulating signs in the right-of way, the ordinance cannot provide permission for the general public to place signs on someone else's private property (utility poles are typically not owned by the County). Therefore, staff does not recommend any changes to the proposed amendment.

5. *Allow temporary sidewalk signs in medians to support civic association activities.* The scope of advertising would allow temporary freestanding (affixed) signs in medians up to a maximum of 4.5 square feet. It would not allow temporary sidewalk signs. Temporary sidewalk signs are currently allowed only on sidewalks meeting minimum clearance standards, and are defined as being placed in front of the use they support. The definition of, and associated regulations for, these signs were the subject of extensive public review in the fall of 2011. Staff did not propose to expand the sidewalk sign provisions to allow them to be placed in street medians, as such signs could easily fall over and cause a hazard to traffic in the road. Additionally, the areas within medians that would be most conducive to placing such signs are the same areas that provide pedestrian refuges at intersections, and are likely to be blocked by these signs. The proposed amendment provides many other opportunities for civic associations to advertise their events, including "seven-day" signs, signs attached to neighborhood signs and temporary signs allowed on private property. Civic associations may also take advantage of sign allowances on public property where events are occurring so long as they have permission of the property owner. Therefore, staff does not recommend any additional changes to the proposed amendment.

6. *Deem “yard sales” and other similar activities as noncommercial speech.* The current ordinance defines commercial messages as a “sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product service or other commercial activity.” The Planning Commission recommended that the ordinance define yard sales and other similar activities as noncommercial speech. However, the Courts, including the United States Supreme Court, have decided when speech is commercial for purposes of allowing distinctions among signs. Even if the County could make a different decision as to what is commercial speech, the proposed amendment attempts to be content neutral so as not to single out certain commercial activities as prohibited while allowing other commercial speech in the same locations. Defining certain commercial speech as noncommercial speech would be akin to singling out certain commercial speech as allowed while prohibiting other commercial speech in the same locations. Furthermore, the proposed amendment allows for commercial signs for activities lawfully occurring in residential zoning districts on weekends, which is when most commercial activities such as yard sales tend to occur.

7. *Allow noncommercial signs at polling places on the day of a caucus nominating event.* Staff supports this change and recommends that the following underlined language be inserted into subsection 34.2 under the subheading “signs at polling places” on p. 4 of the proposed amendment in Attachment C of the July 13, 2012 staff report:

“Unlighted temporary political campaign signs erected on the day before or the day of an election, or a nominating caucus for a political party registered in the Commonwealth of Virginia on the lot of the officially designated polling place for a period not to exceed 24 hours. ...”

8. *Allow separate lighting for incidental signs denoting street addresses in all zoning districts.* Address signs are regulated by [Chapter 27.12 of the County Code](#), and have never been a requirement under the Zoning Ordinance. Because no lighted signs are allowed in single-family residential (R) districts, staff provided clarification in the proposed amendment that a sign lighted to illuminate an address sign in conformance with County Code requirements would not be considered a lighted sign in these districts. All other zoning districts allow lighted signs, and therefore no changes to the proposed amendment are needed. Staff does not recommend any changes to the proposed amendment.

9. *Limit signs placed below a height of 40 feet and directly facing single-family or multifamily residential zoning districts to a luminance level of 50 cd/m² (if the County Board adopts the proposed luminance standards).* Staff has recommended an alternative regulation for signs within 200 feet of and directly facing single-family or multifamily residential properties. Staff recommends the same luminance level for such signs as proposed for zoning districts associated with Service Commercial land uses (200 cd/m²) which are often similarly located next to residential properties. Staff does not recommend any changes to the proposed amendment.

Minor changes and clarifications to the proposed amendment. Staff recommends that the following edits be incorporated into the proposed amendment attached to the July 13, 2012 staff report (Attachment C).

Table 1. Minor changes and clarifications to the proposed amendment. Other nonsubstantative edits have also been included into the proposed amendment.

In the edits shown below, text to be added is denoted with an underline and text to be removed is denoted with ~~strike through~~.

Line, page	Subsection	Proposed edit
p. 4	34.2 (signs at polling places)	<p>“Unlighted temporary political campaign signs erected on the day before or the <u>day of an election, or a nominating caucus for a political party registered in the Commonwealth of Virginia</u> on the lot of the officially designated polling place for a period not to exceed 24 hours. ...”</p> <p>Explanation: discussed in Planning Commission recommendation 7 above.</p>
Line 151, p. 6	34.4.F.3	<p><u>4. Temporary banners as permitted by §34.9.E</u></p> <p>Explanation: includes temporary banners allowed in public parks and other properties as an exception to the prohibition on signs posted on fences. This would allow the temporary banners permitted in subsection 34.9 (up to 40 sf and allowed for up to 16 days, with a permit) to be posted on fences within parks and other public properties.</p>
Line 265, p. 17	34.7.A.5(b)	<p>Any building that meets the following criteria may install up to a maximum of two additional wall or projecting signs, with a permit, subject to the standards listed below. Such signs shall be allowed in addition to otherwise allocated aggregate sign area, <u>but shall be separate from, and not combined with signs included in aggregate sign area, and however,</u> under no circumstances shall more than two signs per building be placed above a height of 40 feet.</p> <p>Explanation: clarifies that additional sign area allowed for commercial/office/hotel/public buildings taller than 70 feet may not be combined with other allowed (aggregate) sign area to produce signs above 40 feet that are larger than those allowed by the additional sign area provisions.</p>
Line 303, p. 18	34.7.A.7(d)	<p><u>No sign shall extend above the height of the actual roofline of the building, measured from the actual roofline in the case of a flat roof or from the eaves line in the case of a hip or gable roof.</u></p> <p>Explanation: clarifies that roofline signs may not extend beyond the roofline. This is the same language included in the current ordinance.</p>
Line 716, p. 52	34.15.C.2	<p>Such signs shall be removed by the last <u>first</u> of the following to occur: one year after the issuance of the shell and core permit; or the sale or lease of the building or property or, for a multi-occupant property, the sale or lease of 80 percent of the gross leasable area of the building.</p> <p>Explanation: correction – this subsection should read the “first” of the following to occur. Otherwise, if only one of the listed options occurred, the signs might never be removed.</p>

Additional information. In order to provide some additional perspectives from around the country on some issues that have been the subject of community discussion throughout the outreach process for the proposed amendment, the attached document provides additional information on a sampling of other jurisdictions and how they regulate roofline signs and to what degree, if any, they provide for review by the local legislative body for sign applications.

Practices in Other Jurisdictions

Legislative Review of Signs and Regulation of Roofline Signs

Prepared by the Arlington County Department of Community Planning, Housing
and Development
7/19/2012

Introduction

The following information provides additional perspectives related to allowances for review of sign applications by elected bodies and/or other review boards, and a summary of roofline sign regulations from a sampling of other jurisdictions around the region and the country.

Jurisdictions Examined

Legislative review practices and roofline sign regulations were researched and compiled from nineteen jurisdictions. Jurisdictions studied include major cities throughout the country and some of their surrounding jurisdictions. In addition, several local jurisdictions were researched. Those jurisdictions reviewed include the following fifteen cities: Atlanta, Boston, Chicago, Denver, New York, Pittsburgh, Portland (OR), San Francisco, Seattle, Los Angeles, Berkeley (CA), Brookline (MA), Jersey City (NJ), Newark (NJ), and Oakland (CA). Local jurisdictions include: City of Alexandria (VA), Fairfax County (VA), Loudoun County (VA), and Montgomery County (MD). In addition, legislative review practices are included for the City of Laurel (MD), Virginia Beach (VA) and Richmond (VA).

Modification of Sign Regulations

Legislative review relates to allowances of a government body to approve modifications to the zoning code. Most of the jurisdictions examined that do provide for modification of sign regulations allow a legislative body to approve changes either as a means of allowing sign applicants to overcome difficulties presented by topography or unusual factors at the site; or in exchange for design review. Other jurisdictions examined do not allow for any modifications to sign regulations. Where modifications are permitted, zoning code specifically delimits those aspects that can be modified.

While several of the jurisdictions discussed below allow for modification of sign regulations in exchange for design review, it should be noted that Virginia Code does not allow for legislative design review boards outside of historic districts.

Of the 22 jurisdictions examined, thirteen provide for a process by which modifications to zoning regulations may be approved. In seven jurisdictions, modification are allowed based on hardships or unusual site conditions, and in six jurisdictions, design review is part of the process by which modifications are addressed. Specific modifications allowed in the jurisdictions studied are discussed below.

- Difficulties Caused by Topography or unusual site circumstances: Atlanta, Portland and Fairfax County may consider modifications related to difficulties

caused by topographic conditions at the site. In the cities of Laurel (MD), Alexandria, Falls Church, Richmond and Virginia Beach, the Board of Zoning Appeals may approve variances to sign regulations due to hardship.

- **To Allow Design Flexibility:** Three jurisdictions consider modifications for sign applicants in exchange for participation in processes which ensure higher standards of design quality. In Denver, a process is available for large facilities with a gross floor area of 50,000 square feet or with a lot area of 100,000 square feet. In exchange, applicants may gain flexibility as to regards size, type, and location of signs. In Pittsburgh, the process is open to sites larger than 8 acres in areas that are relatively isolated from neighborhoods in exchange for “a substantial amount of flexibility,” but no specific elements are noted. In Seattle, a process allows flexibility in relation to the size, number, type, height and depth of signs in certain zones in exchange for enhanced design. Finally, in Oakland, CA, modification of aggregate sign area may be considered in exchange for participation in a design review or master sign review program.

- **Other modifications:** Loudoun County (VA) allows for modification of sign area, height, number of signs and other factors. The city of Alexandria allows signs above a height of 35 feet subject to special use permit approval.

Table 1: Modification of sign regulations

Jurisdiction	Summary of Modification to Regulations Allowed
Jurisdictions that provide for modification of regulations due to hardship and unusual site circumstances	
<i>Alexandria, VA</i>	<ul style="list-style-type: none"> ▪ The Board of Zoning Appeals may hear variances due to hardship ▪ Signs above 35 feet are allowed by Special Use permit
<i>Atlanta</i>	<ul style="list-style-type: none"> ▪ Limited variances ▪ Sign heights, setbacks, and other minor variances can be approved for difficulties caused by topographic conditions
<i>Fairfax County, VA</i>	<ul style="list-style-type: none"> ▪ The Board of Supervisors may approve a modification or waiver in conjunction with a rezoning in commercial or industrial districts for unusual circumstances due to location, topography, size or configuration of the lot, orientation of the structure on the lot or other unusual circumstances ▪ Board of Zoning Appeals may grant modifications for regional shopping centers where there is a hardship. ▪ Planning commission may grant modifications through a comprehensive sign plan in a mixed-use district
<i>City of Falls Church, VA</i>	<ul style="list-style-type: none"> ▪ Board of Zoning Appeals may hear variances due to hardship

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Jurisdiction	Summary of Modification to Regulations Allowed
<i>City of Laurel, MD</i>	<ul style="list-style-type: none"> ▪ A modification from certain requirements may be granted by the Planning Commission where the literal application would create a particular hardship for the sign user, and the modification granted would not be detrimental to other property owners in the vicinity, among other conditions. ▪ The following conditions or considerations do not constitute hardships or unique conditions which favor a modification: <ul style="list-style-type: none"> ○ Guidelines or requirements of the Historic District Commission; ○ Existing signs in the vicinity of the subject sign, with which the subject sign might compete and existing market conditions ○ A desire on the part of the applicant to make a sign more noticeable or visible to target populations on roads or highways in the vicinity
<i>Portland</i>	<ul style="list-style-type: none"> ▪ Adjustment Review for minor modifications, such as sign area or to accommodate unusual site conditions is possible
<i>City of Richmond, VA</i>	<ul style="list-style-type: none"> ▪ Board of Zoning Appeals may hear variances due to hardship
Jurisdictions that provide for modifications to regulations subject to design review	
<i>Boston</i>	<ul style="list-style-type: none"> ▪ Height and area of signs on a sign frontage may be granted variances with approval of a Comprehensive sign design certified by the Urban Design Department of the Boston Redevelopment Authority
<i>Denver</i>	<ul style="list-style-type: none"> ▪ Flexibility in size, type and location of signs in exchange for coordinated program of signage ensuring higher standard of design quality ▪ Comprehensive sign plans may be submitted for review for large facilities (GFA 50,000 square feet or lot area of 100,000 square feet)
<i>Pittsburgh</i>	<ul style="list-style-type: none"> ▪ A Special Signage Design Zoning District may be created for additional flexibility ▪ For sites of > 8 acres (relatively large sites) ▪ For sites in relative isolation from neighborhoods ▪ Subject to Design review and approval by Planning Commission
<i>Seattle</i>	<ul style="list-style-type: none"> ▪ Legislative exceptions may be made for size, number, type, height and depth of on-premise signs in certain zones in exchange for enhanced design
<i>Oakland, CA</i>	<ul style="list-style-type: none"> ▪ Design Review and/or Master Sign Program Review is voluntary ▪ Allows flexibility for aggregate sign area
<i>Montgomery County, MD</i>	<ul style="list-style-type: none"> ▪ Variances heard by Sign Review Board related to sign size and/or location

Jurisdiction	Summary of Modification to Regulations Allowed
Jurisdictions that provide for modifications to regulations for other purposes	
<i>Loudoun County, VA</i>	<ul style="list-style-type: none"> ▪ Modifications to sign height, area, illumination and number of signs may be approved when an applicant demonstrates that the signs: <ul style="list-style-type: none"> ○ Assist motorists, bicyclists and/or pedestrians in finding a location ○ Clearly identify places of business or communities, while avoiding unnecessary redundancy and competing demands for attention ○ Are compatible with, and subordinate to, the structures and land uses referenced by the sign ○ Address impacts to the night sky and incorporate energy-efficient measures
Jurisdictions that DO NOT allow legislative review	
<i>Chicago</i>	n/a
<i>New York</i>	n/a
<i>Los Angeles</i>	n/a
<i>San Francisco</i>	n/a
<i>Berkeley, CA</i>	n/a
<i>Brookline, MA</i>	n/a
<i>Jersey City, NJ</i>	n/a
<i>Newark, NJ</i>	n/a

Roofline signs

Roofline signs are identified by a variety of terms in different jurisdictions, including “Tall building sign,” “high rise building sign,” “sky sign,” and “building signature sign.” Where allowed in the jurisdictions researched, such signs may be placed at, above or below the roofline of buildings that are greater than 40 feet in height.

Of the nineteen jurisdictions examined, fifteen allow roofline signs above a height of 40 feet. Of the local jurisdictions examined, all allow roofline signs, with Fairfax, Loudoun and Montgomery allowing such signs as a matter of right, and with the city of Alexandria allowing such signs subject to a special use permit. Where roofline signs are allowed, they are subject to specific regulations and in some jurisdictions, are limited to specified commercial, downtown, and/or business districts.

The zoning code of these jurisdictions regulates the following elements of roofline signs:

- Size: Ten jurisdictions regulate the absolute size of such signs. Maximum areas range from 100 square feet in Montgomery County, MD to 600 square feet in Denver. In other areas maximum allowable area is computed as a percentage of wall face to which the sign is attached, and ranges from 2-5% and may also be capped with an absolute maximum area.

- District and/or Location: Nine jurisdictions regulate where such signs can be located according to district boundaries. Commonly, such signs are only allowed in specified downtown, central business, commercial, and/or manufacturing districts. Other jurisdictions do not appear to regulate this aspect in their zoning codes.
- Number: Five jurisdictions regulate the number of signs allowed on a building, façade, and/or elevation. In Atlanta, Chicago, Newark (NJ), and Montgomery County (MD), only one such sign is allowed per building side. Additionally, in Newark only one tenant of the building may have a roofline sign. In Pittsburgh, a total of four signs are allowed.
- Height: Four jurisdictions regulate the heights of such signs. The heights of roofline signs permitted in these jurisdictions range from 65 feet above an adjacent grade in Seattle, to 100 feet above an adjacent grade in San Francisco. Berkeley and Oakland limit sign heights to no more than the height of the building to which they are attached. The zoning codes of other jurisdictions do not specify parameters for the heights at which these signs may be placed.
- Direction: Four jurisdictions regulate the direction signs may face. In Atlanta and Denver, such signs cannot be generally directed at or noticeable from nearby residential areas. In Chicago, these signs may not be installed on walls that abut one another. In Alexandria (VA), roofline signs may not face the George Washington Parkway.
- Height above the Roofline: One jurisdiction limits the extent to which signs may rise above the roofline. In San Francisco, such signs may not rise higher than 25 feet above the building and no higher than the roofline of adjacent buildings. Three jurisdictions explicitly forbid signs from extending above the top of a roofline. This is the case in Atlanta, Denver, and Jersey City. The zoning codes of other jurisdictions do not expressly limit heights above the roofline
- Illumination: Three jurisdictions regulate aspects of sign illumination. In Atlanta, light trespass (illuminance) is limited to a maximum value. In Pittsburgh, lighting associated with signs above a height of 40 feet may not exceed a maximum luminance of 250 cd/m². In Montgomery County (MD), where signs are within 150 feet of a residential area, signs may be illuminated only during hours of operation for the business.
- Gross Floor Area of Tenant: Three jurisdictions require a tenant to occupy a minimum percentage of gross floor area (GFA) in order to be eligible for a roofline sign. In Atlanta, 20% of GFA is required; 30% is required in Chicago; and 40% is required in Newark (NJ).

Table 2: Roofline sign regulations

Jurisdiction	Summary of Regulations for signs above a height of 40 feet
Jurisdictions that allow signs above a height of 40 feet	
<i>Atlanta</i>	<ul style="list-style-type: none"> ▪ Only 1 sign shall be allowed on any side and that no building shall contain more than one such sign per side ▪ No height restriction ▪ Only on buildings 4 or more stories in height; no part shall extend above the top of the building ▪ Area shall not exceed 5% of the area of the wall to which the sign is affixed ▪ Signs may only be erected for principal tenants (occupying at least 20% of available GFA) ▪ All sides of the building which display a building signature sign shall display the exact copy which is displayed on any other side which displays a building signature sign ▪ No regulation of hours of operation ▪ All sources of light associated with a sign shall be effectively shielded from adjacent residential districts and streets. Lighting associated with a sign shall not exceed one and one-tenth (1.1) foot candles in intensity when measured within any portion of a residential district.
<i>Chicago</i>	<ul style="list-style-type: none"> ▪ No more than one high-rise building sign is allowed on any side of a building. ▪ The maximum sign face area of a high-rise building sign is a function of building width at mounted sign height ▪ High-rise building signs must be individual letter signs. ▪ High-rise building signs may not be attached to roof-mounted structures that exist solely for the purpose of supporting the sign. ▪ High-rise building signs may not be mounted on walls which abut one another on a single building. ▪ No more than two high-rise building signs are allowed per building and both high-rise building signs on a single building must identify the same tenant. ▪ High-rise building signs shall be limited to business identification for the principal tenant, which must occupy at least 30% of the building's total floor area. For purposes of this section, the Zoning Administrator is authorized to allow for a reduction in the percentage of this occupancy requirement provided the applicant demonstrates that it (1) is the building's largest tenant and (2)(a) occupies a percentage of the building's total floor area that is substantially similar to 30% or (b) is the corporate headquarters of a publicly held corporation.
<i>Denver</i>	<ul style="list-style-type: none"> ▪ Signs shall not be illuminated or oriented so that they adversely affect the surrounding area. ▪ Roof signs shall not extend above any building height limit or zoning bulk plane. No flashing, blinking, fluctuating, animated or portable roof sign is allowed. ▪ By right signs in the Downtown District are limited to 600 square ft. and a height below the roofline of the building.

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Jurisdiction	Summary of Regulations for signs above a height of 40 feet
<i>Pittsburgh</i>	<ul style="list-style-type: none"> ▪ Signs above 40 feet allowed only in the Golden Triangle and the Downtown Riverfront Districts. ▪ In these districts, up to four (4) “business and building name” signs may be placed on a building above 40 ft ▪ Size limited to the larger of 40 square feet or two (2) percent of exposed façade area ▪ Shall be subject to approval by City Planning Commission. ▪ May not exceed 2500 nits during daylight hours and 250 nits at night; Illumination levels must be precertified for compliance. ▪ Electronic illumination allowed
<i>San Francisco</i>	<ul style="list-style-type: none"> ▪ Commercial and Industrial Districts permit by-right signs placed on the roof (limited to 25 feet above the roof and no higher than the roofline of the neighboring building). ▪ Wall signs permitted up to the 100 foot level ▪ Allowed in Commercial, Manufacturing, and Product Distribution and Repair Districts
<i>Seattle</i>	<ul style="list-style-type: none"> ▪ By right – up to 65 feet high ▪ Public buildings and hotels may have signs located at more than 65 feet above grade from the adjacent sidewalk. ▪ There shall be no maximum area limits for on-premises signs, except for signs identifying hotels and public buildings sixty-five (65) feet or more above the elevation of the sidewalk, which shall not exceed eighteen (18) feet in length, height or any other direction
<i>Berkeley, CA</i>	<ul style="list-style-type: none"> ▪ Roof signs allowed in commercial districts (may extend up to 8 feet above the roof) and manufacturing districts (may extend up to 15 feet above the roof) ▪ Commercial districts: The sign area of roof signs shall not exceed ten (10) percent of the building face of the premises or one hundred (100) square feet, whichever is less; ▪ Manufacturing districts: The sign area of roof signs shall not exceed fifteen (15) percent of the building face of the premises or two thousand (2,000) square feet, whichever is less <p>Note: building height limits are as follows:</p> <ul style="list-style-type: none"> ▪ Commercial districts: range from 28 ft in some districts to 120 ft for some buildings in Downtown Business Districts. ▪ Manufacturing districts: 45 feet.
<i>Jersey City, NJ</i>	<ul style="list-style-type: none"> ▪ No sign shall extend or project above the highest elevation of the wall to which it is attached or above the lowest part of the roofline of the building, whichever is less. ▪ Sign size for primary façade: 20 sq. ft. or 5% of the ground floor area of that portion of the primary façade applicable to the commercial use, whichever is smaller

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Jurisdiction	Summary of Regulations for signs above a height of 40 feet
<i>Newark, NJ</i>	<ul style="list-style-type: none"> ▪ Signs shall be no more than fifty (50%) percent of the building width ▪ Only for the principal tenant = at least forty (40%) percent of GFA. ▪ Such signs shall be limited to one (1) tenant per building and one (1) sign per building elevation ▪ These signs are only allowed in the Third Industrial District and the Fourth Business District ▪ Such signs shall be prohibited in the Fourth Business District on buildings under one hundred ten (110) feet in height ▪ Not on historic buildings or in historic districts.
<i>Oakland, CA</i>	<ul style="list-style-type: none"> ▪ Only permitted in RU-4 and RU-5 zones, and all Commercial and Industrial zones. ▪ 200 ft max sign area for a given property; 300 ft max for a property in an Industrial Zone ▪ Signs may not exceed the height of the building they are attached to
<i>Alexandria, VA</i>	<ul style="list-style-type: none"> ▪ Unlighted signs above 35 feet allowed by-right ▪ Lighted signs above 35 feet require approval of a special use permit ▪ No signs may face the GW Parkway
<i>Fairfax County, VA</i>	<ul style="list-style-type: none"> ▪ Allowed by-right
<i>Loudoun County, VA</i>	<ul style="list-style-type: none"> ▪ Allowed by-right at the roofline in commercial districts
<i>Montgomery County, MD</i>	<ul style="list-style-type: none"> ▪ A “location sign”, which is defined as a sign “which portrays a logo, symbol, name, or address to identify the location of the building or use” is permitted on a wall more than 26 feet from the ground provided that it is at least 10 feet below the eave or parapet and at least 10 feet from the corner of the building. ▪ Max area is 100 square feet ▪ May be illuminated ▪ If sign is within 150 feet of a residential use, it may be illuminated for only the hours the business is open ▪ A building may have one (1) such sign on each face of the building that has building frontage and at each customer entrance to the building and parking area
Jurisdictions that prohibit signs above a height of 40 feet	
<i>Boston</i>	No signs above a height of 25 feet
<i>New York</i>	No signs above a height of 40 feet
<i>Portland, OR</i>	
<i>Brookline, MA</i>	No signs above a height of 25 feet